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No. 22] NEW DELHI, SATURDAY, MAY 28, 1966/JYAISTHA 7, 1888

भूमि में भिन्न पृष्ठ संख्या की जाती हैं जिससे कि यह अलग संक्षिप्त के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

नोटिस

NOTICE

नीचे लिखे भारत के असाधारण राजपत्र 17 मई, 1966 तक प्रकाशित किये गये।

The undermentioned Gazettes of India Extraordinary were published up to the 17th May, 1966 :—

Issue No.	No. and Date	Issued by	Subject
138.	S. O. 1464, dated 12th May, 1966.	Ministry of Commerce	Further amendment to Exports (Control) Order, 1962,
139.	S. O. 1465, dated 7th May, 1966.	Min. of Information and Broadcasting.	Approval by the Central Government of the films specified in column 2 of the Schedule.
140.	S. O. 1466, dated 13th May, 1966.	Min. of Commerce	Authorisation by the Central Government of Shri G. K. Moghe to take over the management of the whole of the Swadeshi Cotton and Flour Mills Ltd., Indore.
141.	S. O. 1467 /I D R A/29B/66, Min. of Industry, dated 13th May, 1966.	Exemption by the Central Government under the Industries (Development and Regulation) Acts, 1951 (65 of 1951) of Sections 10, 11, 11A and 13 of the said Act.	

(1413)

Issue No.	No. and Date	Issued by	Subject
142.	S. O. 1468, dated 16th Min. of Commerce, May, 1966.	Recognition of M/s Italab (Goa) Pvt. Ltd., Lotlikar Building, Margao and further amendment of Export (Quality Control and Inspection) Act, 1963 (22 of 1963).	
143.	S. O. 1524, dated 16th Min. of Food, Agriculture, Community Development & Co-operation, May, 1966.	Direction by the Central Government under Section 5 of the Essential Commodities Act, 1955 (10 of 1955) regarding the prices, stocks and movements of Cattle Fodder.	

उपर लिखे असाधारण राजपत्रों की प्रतियाँ प्रकाशन प्रबन्धक, सिविल लाइन्स, दिल्ली के माम प्रागपत्र भेजमे पर भेज दी जाएंगी। मःगपत्र प्रबन्धक के पास हन राजपत्र के आरी होने की तारीख से 10 दिन के भीतर पहुँच जाने चाहिए।

Copies of the Gazettes Extraordinary mentioned above will be supplied to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

भाग II—संख्या 3—सुप्लाय (ii)

PART II—Section 3—Sub-section (ii)

(रक्षामंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रशासन को छोड़कर) क्षेत्रीय प्राधिकरणों द्वारा आरी किए गए विधिक आवेदन और अधिसूचनाएँ।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 17th May 1966

S.O. 1533.—In pursuance of the provisions of sub-section (1) of section 86 of the Representation of the People Act, 1951, the Election Commission hereby publishes a copy of the Election Petition No. 2 of 1966, presented to the Commission on the 10th May, 1966, under section 81 of the said Act, by Shri Ravindra Nath, M.L.C., son of Late Lala Ishwar Das, Sector 16-C, Chandigarh, calling in question the election of Shri Raghbir Singh and Shri Narinder Singh to the Council of States by the elected members of the Punjab Legislative Assembly.

BEFORE THE ELECTION COMMISSION OF INDIA, NEW DELHI

Ravindra Nath, M.L.C., son of Late Lala Ishwar Das, Sector 16-C, Chandigarh—Petitioner.

Versus

1. Raghbir Singh, M.P., 81, South Avenue, New Delhi.
2. Narinder Singh, M.P., Rajya Sabha, Parliament House, New Delhi.
3. Neki Ram, M.P., 55, South Avenue, New Delhi.
4. Salig Ram, M.P., Dharamsala, Distt. Kangra.

5. Partap Singh Daulta, Advocate, Sector 2, Chandigarh.
6. Krishnamurthy.
7. Mange Ram—Respondents.

ELECTION PETITION NO. 2 OF 1966

IN THE MATTER OF ELECTION PETITION FILED BY RAVINDRA NATH

Election Petition under sections 80, 81, 100, 101 of the Representation of People Act, 1951 read with rules for declaring the election of respondent No. 1 and 2 to be void and instead declaring the petitioner to have been duly elected as a member to the Council of States (Rajya Sabha) at election by members of the Punjab Legislative Assembly (Vidhan Sabha) in the election held on 28th March, 1966.

The petitioner submits as under:

1. That election by Assembly members of Punjab Legislative Assembly (Punjab Vidhan Sabha) for electing four members to the Council of States was held on 28th March, 1966.
2. That for the said election the petitioner and the respondents No. 1 to 7 had filed their nomination papers and they were the contesting candidates for the election held on that date.
3. That voting took place on 28th March, 1966.
4. That Shri Kuldip Chand Bedi, the Secretary of the Punjab Vidhan Sabha was the Returning Officer for the purpose of the said election.
5. That at the said election four candidates had to be elected by the Members of Punjab Legislative Assembly to the Council of States (Rajya Sabha).

The Congress Party had nominated respondents 1, 3 and 4 as their official candidates. Respondents No. 5, 6 and 7 were contesting the seats as independent. Respondent No. 2 was the official candidate of the Akali Dal.

6. That the quota ascertained for filling one seat was fixed at 30.21.
7. That during the day the ferocity of the contest had assumed great importance and it was freely being mentioned that respondent No. 1, the official Congress candidate, might not obtain the necessary votes and, therefore, would presumably be defeated. This was naturally causing great anxiety to the leaders of the Congress Party and all sorts of efforts were being made by them to see that somehow respondent No. 1 did not get defeated as it would create a very embarrassing situation for the Congress Party. The petitioner was, however, hopeful that he would be obtaining the necessary quota to get duly elected.
8. That therefore after voting had taken place, the petitioner was naturally anxious to see that the counting and the examination of the ballot papers was done in a proper manner. Therefore at the time when the counting was to take place the petitioner wanted to sit near the Returning Officer so that he could see the ballot papers in full view. Mr. Bedi, the Returning Officer, however, asked the petitioner as well as other candidates to sit around the table at a distance and in such way that the full view of the ballot papers was not available to the petitioner. Mr. Bedi thereafter had the ballot papers taken out from the ballot box and then arranged them candidatewise separately on his table. During this process of keeping the ballot papers candidate-wise, Mr. Bedi also kept apart a parcel of 8 ballot papers separately. After the ballot papers candidatewise had been sorted out and arranged before him Mr. Bedi started examining the parcel of 8 ballot papers which he had kept apart separately. At first he took out a ballot paper and informed the petitioner as well as others present that he was going to reject this paper as it bore a cross mark. He did not give any other information although the petitioner wanted to see the full ballot paper with a view to find out as to what precise objection there was to the validity of the ballot paper but it was not so allowed. Mr. Bedi then announced that he was rejecting this ballot paper but without permitting the petitioner to see the ballot paper and raise his objections to this. The petitioner believes that this ballot paper was marked in his favour as a first preference. This improper rejection of the ballot paper by the Returning Officer has deprived the petitioner of a valid vote which has materially affected the result of the election.
9. That the petitioner then asked the Returning Officer to let him see other ballot papers from the parcel of 8 kept separately but Mr. Bedi refused. Mr. Bedi

did not follow the legal procedure (for reasons best known to him) of picking up each ballot paper from the parcel of 8 which he had kept separately and discussing it with the petitioner or the other candidates. He straightforwardly picked out three ballot papers (without showing it at all to the petitioner) from the packet of 8 and put them in the parcel containing the ballot papers of respondent No. 1. Though the petitioner objected to this method but no heed was paid to it. The result was that the three ballot papers from the eight which had been kept apart separately by Mr. Bedi for the obvious reason that they were invalid, were then purposely and improperly accepted in favour of respondent No. 1 and the petitioner was not given any opportunity to see the ballot papers and to point out the defects to the Returning Officer so that the said votes may not have been accepted for respondent No. 1. The three other votes Mr. Bedi placed in the parcel of other candidates excepting the petitioner.

10. That Mr. Bedi thereupon took out the last remaining ballot paper from the parcel of 8 on which there was written 11 and placed it in the parcel of ballot papers of respondent No. 1. The said mark was a mark by which the elector could be identified and had been got placed at the instance of respondent No. 1 in pursuance of a previous concert with the voter so that he could be identified and should, therefore, have been rejected. Further this mark did not signify the second preference for any candidate and therefore could not have been given credit to any candidate on the ground that the second preference had become the first preference.

12. That the Returning Officer thereafter counted the votes and the results of papers by putting them in the parcel of the ballot papers of respondent No. 1 which he had picked up from 8 ballot papers kept separately which were in fact invalid. Thus by this improper reception of three votes in favour of respondent No. 1, which were void, the result of the election of respondent No. 1 has been materially affected and respondent No. 1 was illegally declared to be elected.

12. That the Returning Officer thereafter counted the votes and the results of the first preference votes was as follows:—

Raghbir Singh Panhazari	25
Narinder Singh	32
Neki Ram	28
Salig Ram	37
Partap Singh Daulta	5
Krishnamurthy	1
Mange Ram	x
Ravindra Nañj	23

As the petitioner was convinced that the Returning Officer had improperly received for respondent No. 1, as valid three ballot papers which were void and which had been put in the parcel of respondent No. 1 from the parcel of 8 kept separately, he requested the Returning Officer to re-examine and recount the ballot papers of respondent No. 1. But the said request was summarily rejected by the Returning Officer who refused to re-examine and recount votes of respondent No. 1. The result was that three ballot papers which had at first been kept apart as being liable to be rejected by the Returning Officer himself and which had later on for no reason been improperly placed in the parcel of ballot papers of respondent No. 1 were also improperly received as valid votes. This refusal of the Returning Officer to recount and re-examine the ballot papers is in violation of the Act 1951 and its Rules and this action of the Returning Officer is not complying with the mandatory provisions of the Act and Rules has materially affected the result of the election in so far as election of respondent No. 1 is concerned.

13. That the final count of the votes obtained by the petitioner and respondent No. 1 after transfer of surplus votes emerged as follows:—

(1) Raghbir Singh—Respondent No. 1

Votes polled in first count	25
Points through benefit of second preference votes of candidates declared elected.	0.92
Benefit of two second preference votes of Shri Partap Singh Daulta	2
Totals:	27.92

(2) Ravindra Nath	
Votes polled in first count	23
Points added through benefit of second preference votes of candidates declared elected.	1
Benefit of second preference through Krishnamurthy	1
Benefit of second preference votes through Shri Partap Singh Daulta	2
Total	27

Thereafter the Returning Officer declared the result and announced the election of respondents 1 to 4 having been elected to the Council of States.

14. That the result of the election in so far as it concerns respondent No. 1 has been materially affected by the improper reception of three votes which are void and this has resulted in illegally increasing the votes of respondent No. 1 as against the petitioner.

15. That it is clear that the Returning Officer when he kept apart 8 ballot papers did not deem them valid and it was not open to him under the Rules to nevertheless treat these votes as valid without showing the same to the petitioner and other candidates and allowing them an opportunity to have their say. As submitted three of these ballot papers (apart from one marked 11 as second preference) were placed in the parcel of the ballot papers of respondent No. 1 but the said votes being void could not have been counted for respondent No. 1. Had these void votes not been received for respondent No. 1, the voting of respondent No. 1 would have been reduced to 24.92 and the petitioner who had obtained 27 votes would have been declared elected.

16. That it is quite clear that one of the votes which had marked second preference as 11 was an invalid vote and in spite of objection of the petitioner was received for respondent No. 1. Even if this vote which was improperly received for respondent No. 1 is excluded the petitioner has more valid votes than respondent No. 1 and he should, therefore, be declared elected.

17. That the attitude of the Returning Officer was highly prejudicial against the petitioner and partial to the respondent No. 1 presumably because he wanted to favour the respondent No. 1 and wanted him to be declared elected as against the petitioner under all circumstances. That the partiality and the interestedness of the Returning Officer towards respondent No. 1 was obvious from the fact that both of them spent considerable time together in the room of the Speaker and in the room of the Returning Officer and were closeted together for long hours by themselves daily for two to three days before the actual day of polling.

18. That the petitioner was denied any opportunity of seeing the ballot papers and placing his objections to the validity of the same and for their being received for respondent No. 1. The petitioner had specifically requested the Returning Officer to re-examine and recount the ballot papers of respondent No. 1 but the Returning Officer had arbitrarily and malafide refused to do so. This non-compliance of the Returning Officer with the mandatory provisions of the Act and the Rules has resulted in the illegal and improper reception of votes in favour of respondent No. 1 and the margin of votes has been increased by such illegal acceptance. The inspection and the scrutiny and recounting of ballot papers of respondent No. 1 would clearly reveal that the invalid votes have been counted in his favour and it has, therefore, materially affected the result of election.

19. That the vote which has been rejected by the Returning Officer as invalid because it contained a cross mark has been improperly rejected and the said vote should have been counted for the petitioner and if thus counted it would have increased the votes of the petitioner to 28 and he would therefore have been entitled to be declared elected as against respondent No. 1 whose final votes were only 27.92.

20. The election of the respondent No. 1 is also liable to be set aside as he has committed the corrupt practice of putting undue influence and also having made a false statement with regard to the candidature of the petitioner within the meaning of 123(2) and 123(4) of the Act, as will become clear from a resume of the facts hereinafter appearing.

21. That the three candidates who were officially approved by the Congress Parliamentary Board were respondents No. 1, 3 and 4. The Parliamentary Board had authorised the Chief Ministers to set up candidates on marginal seats if they wished to do so. Accordingly the petitioner who is a senior Congressman, being a member of A.I.C.C., had been allowed by the Chief Minister, Punjab, to contest the fourth seat on the specific assurance that the surplus votes will be cast for him. To make the petitioner's candidature secure the Chief Minister had even obtained permission of the Congress President Shri Kamaraj before asking him to file nomination papers. The petitioner had never meant to defy the wishes of the Congress Party and he had so stated in his various communications to the Congress President and to the Chief Minister, Punjab. He had in his letter of 20th March, 1966, copy enclosed as P-1, clearly informed the Congress President, Mr. Kamaraj that although he was fighting for the fourth seat with his approval, respondent No. 1 was putting pressure through different sources against the petitioner.

22. That the respondent No. 1 not only put undue influence and pressure on the petitioner to make him withdraw his candidature but he also got published a false statement which is false and which respondent No. 1 believes to be false to the effect that Mr. Kamaraj, Congress President had directed the Punjab Congress to contest only three seats for the Rajya Sabha. A copy of the news item published in the Tribune of 27th March, 1966, is attached as P-2. This was a false statement got published by respondent No. 1 with respect to the candidature of the petitioner and was a statement reasonably calculated to prejudice the prospects of petitioner's election. The obvious intention behind this statement was to create prejudice amongst the electors who would necessarily carry the impression that the Congress President had forbidden even the casting of second preference votes to the petitioner. But as the Congress President had never so directed and the news item which was got published by respondent No. 1 was a false statement which he did not believe to be true in relation to the candidature of the petitioner and as the said statement was reasonably calculated to prejudice the prospects of the petitioner's election, respondent No. 1 has committed the corrupt practice under 123(4) of the Act and his election is therefore void.

23. That the respondent No. 1 is also guilty of the corrupt practice of undue influence with the exercise of the electoral right with the various Congress members who were made to believe by the news item got published in the Tribune, as mentioned earlier, that they would render themselves liable for action by the Congress President if they even cast their second preference vote for the petitioner. He thus adopted pressure tactics, twisted facts and conducted false propaganda and went to the extent of wilfully exploiting the name of Shri Kamaraj to sabotage the decision of Shri Kamaraj himself with regard to the bonafide candidature of the petitioner. This action of the respondent No. 1 amounted to the interference with the exercise of the electoral right of the voters by putting them in fear and thus amounted to corrupt practice within 123(2) of the Act. Respondent No. 1 also provoked respondents No. 3 and 4 against the candidature of the petitioner and then made them to join him in exercise of undue influence by making personal and written protests in the A.I.C.C. office in spite of the fact that he was aware of the fact that the petitioner had not become a candidate of his own free will but had done so with the full knowledge and approval of the Congress President and Chief Minister. The respondent No. 1 showed complete disrespect for the wishes of the Congress President and instead of trying to help his party in defeating the opposition candidate he worked feverishly to sabotage the petitioner's candidature thus giving indirect strength to the opposition candidate. This clearly shows that the respondent No. 1 bore personal ill-will against the petitioner and he was ready to go to any length to harm his position in the party, his social goodwill and his candidature in the election. The undue influence and interference of respondent No. 1 with the candidature of the petitioner extended itself to putting pressure through Central leaders and some Punjab leaders on the Chief Minister to reverse his decision. As a result of these high pressure tactics and false statements the respondent No. 1 exercised such heavy pressure on the Chief Minister, Mr. Ram Kishan that although he had firmly stood by the petitioner's candidature till 27th, he was forced to send a telegram to the petitioner on 27th night asking him to withdraw from the contest. Respondent No. 1 exercised pressure throughout but on 27th March, 1966, he mounted this pressure on Mr. Ram Kishan himself and through a few others who were in league with him. The Congress President Shri Kamaraj had left Delhi for Madras on 27th morning by plane and respondent No. 1 took full advantage of his absence from Delhi at that crucial time.

Tremendous undue influence was exercised by respondent No. 1 on the petitioner to withdraw his candidature or in default he was threatened with social ostracism and expulsion from the Congress organisation to which he belongs. Respondent No. 1 was openly moving about amongst the various voters throughout the day of 27th as well as on the morning of 28th telling them that they should socially ostracise the petitioner and also threatening them that if any of them cast his vote for the petitioner he would also be expelled from the Congress organisation. Among the voters belonging to the Opposition Parties the line of appeal of respondent No. 1 was that since the petitioner had been directed by the Congress President to withdraw from the contest the votes which they had committed to him could now be cast in his favour, i.e., in favour of respondent No. 1. Such an appeal that the Congress President has withdrawn his support in favour of the petitioner, which he made to the voters and which was false and which the respondent No. 1 did not believe to be true, and it was calculated to reasonably prejudice the candidature of the petitioner and the election of the respondent is therefore void.

That the respondent No. 1 was determined to go to any extent to oust the petitioner from the contest. He felt that respondent Nos. 5, 6 and 7 will get very little votes and could not be considered as serious candidates and that this leaves only five serious candidates in the field against four seats to be filled. Therefore, the entire game of the respondent No. 1 was that if, somehow, he could force the petitioner to withdraw then only four serious candidates will be left in the field against four seats and thus the pattern of election will change from a contest to an automatic victory of three Congress and one Opposition candidate. The respondent No. 1 thus proved by his actions that he would rather facilitate victory of an opposition candidate than let the Congress party, to which he belongs, try to win the fourth seat for which the Congress President and the Chief Minister had decided to put up the petitioner as a candidate.

24. That the election of respondent No. 2 is also void as he has obtained votes by the commission of corrupt practice by making an appeal to the Sikhs to vote for him on the grounds of his religion and community. He also appealed to Sikh voters belonging to the Congress Party to vote for him on the ground that the Congress was always interfering with the Sikh religion and that therefore Sikh Congressmen should vote for the Akali candidate instead of voting for the Congress candidate. With the help of Giani Kartar Singh, M.L.A., and others, the respondent No. 2 approached individual Sikh voters belonging to the Congress Party and appealed to them to vote for him on account of his religion. In pursuance of this appeal, respondent No. 2 appealed to Giani Kartar Singh not only to vote for him but also to obtain for him the votes of other Sikh Congressmen by appealing to them on the ground of his religion. This talk was overheard by Shri Ram Parkash, M.L.A., in the lobby of Punjab Legislative Assembly on 26th March, 1966. Respondent No. 2 was telling Giani Kartar Singh that he must vote for him as they were also Sikhs and as such it was a question of the prestige and interests of Sikh religion and Sikh community that he, that is, the respondent No. 2 who was put up to represent the Sikh community is got elected. He told him that full efforts should be made so that he gets the maximum of votes so that it could be demonstrated beyond any doubt that Sikhs stood solemnly behind him. He specially appealed to Giani Kartar Singh that he had been a staunch proponent of Akali Dal and as he clearly believed that Sikhs must function together it was incumbent on him to uphold the interests of Sikh religion and Sikh community by not only voting for him but also by persuading others to vote for him. Giani Kartar Singh replied that he was quite conscious that the defeat of respondent No. 2 would be the defeat of Sikh community and that he would surely vote for him in the interest of Sikh religion and Sikh community. Respondent No. 2 also told Giani Kartar Singh that he had also similarly appealed to Sarvashri Gurmeet Singh, Jasdev Singh, Sandhu, Tikkha Jagjit Singh, Darshan Singh, Piara Singh, Jaswant Singh Guru and three others to vote for him as it was a question of the prestige of Sikh religion and community and that the said persons had also assured him that it was a question of religion and community they would also be voting for him. This whole talk was overheard by Shri Ram Parkash, M.L.A.

25. That the elections to the Rajya Sabha were very hotly contested and it had become a matter of prestige for the Congress Party as well as the Akali Dal. The Congress Party was naturally anxious to see that it should not suffer in prestige because of the decision of the re-organisation of Punjab and wanted to show that it was still able to win three seats which according to the strength in the Assembly it was entitled to. The Akali Dal had put up respondent No. 2

as its candidate with the direct blessings of Sant Fateh Singh, its President. The propaganda by the respondent No. 2 and his agents was to the effect that respondent No. 2 was standing as a representative of the Sikhs and that his victory will be a victory of Sikhism and his defeat will do harm to the Sikh religion. Respondent No. 2 appealed to the Sikh members of the Assembly to vote for him on the ground of religion. The respondent No. 2 did not confine his appeal to the Opposition legislators but his appeal was directed to all the Sikh legislators whether belonging to the Congress Assembly Party or to the other Opposition groups. The respondent No. 2 by thus making an appeal to vote for him on the ground of religion and community and to refrain from voting for the non-Sikh on the ground of his religion and community and for the furtherance of the prospect of his election and for prejudicially affecting the election of the petitioner has committed a corrupt practice under section 123(3) of the Act and his election is therefore void.

26. That the appeal by the Respondent No. 2 to vote for him on the ground of his religion, caste and community for the furtherance of the prospect of his election was successful and he obtained a number of votes on the basis of this appeal.

27. That Giani Kartar Singh, M.L.A., personally went to the office of Comrade Ram Kishan, Leader of the Congress Party and in the presence of the petitioner, who was sitting there, told him that his name should be removed from the panel of Mr. Raghbir Singh and should be put in some other panel. Similar proposal was made by Giani Kartar Singh on behalf of another Congress voter, Mr. Jasdev Singh Sandhu, M.L.A. Giani Kartar Singh, who is now in the Congress, has always been known as a staunch Akali. He has always been in the forefront in pressing forth the demands of the Akali Party regarding language formula, formation of linguistic regions and demand for Punjabi Suba etc. Even though in the Congress his was always a dissenting voice whenever the Congress tried to unanimously oppose the creation of Punjabi Suba. Therefore, for Giani Kartar Singh to seek the removal of his name and the name of Mr. Jasdev Singh Sandhu, M.L.A. from the panel of a Sikh Congress candidate is a clear indication that he wanted to cast his vote in favour of Akali candidate. Thus he wanted to have his name removed from panel so that his vote for respondent No. 2 would not harm another Sikh respondent No. 1. Thus the appeal of respondent No. 2 to ask for vote on the ground of his religion and community succeeded fully. Apart from these two votes respondent No. 2 himself personally as well as through Giani Kartar Singh and others influenced some other votes and in this manner he got at least ten votes polled in his favour by Sikh Congress voters through an appeal on the ground of religion and community as already explained.

28. That as already submitted, the Congress Party was very anxious that the Congress members who had been nominated for the said election, namely, respondents No. 1, 3 and 4 should not lose votes and it was for this reason that Mr. Ram Kishan, Leader of the Congress Party and the Chief Minister, Punjab, had issued a circular directing the Congress MLAs to vote strictly according to duly approved directions which could be had from the Party office set up in the Vidhan Bhavan. The Congress M.L.As were also further directed that they should vote only for the duly approved candidates which were respondents 1, 3 and 4. A copy of the circular dated 28th March, 1966, is attached as P-3.

29. That even earlier than this, the Leader of the Congress Party and the Chief Minister, Mr. Ram Kishan, issued a circular letter dated 26th March, 1966, P-4, to all the members of the Congress Legislature Party in the Punjab Vidhan Sabha, requesting them to cast their votes in favour of the Congress candidates as per directions and also directed them that each member cast his vote in favour of the Congress nominees.

30. That Giani Kartar Singh, M.L.A., and other 9 Sikh MLAs belonging to the Congress Party (with the exception of Tilkka Jagjit Singh who joined Congress afterwards) who voted for the respondent No. 2, had fought the last General Election in 1962 on Congress Ticket. The said Congress members are continuing as members of the Congress Party and there is no suspension or expulsion ordered against them. They in fact are continuing as full-fledged members.

31. That because of the importance of these elections it was to be expected that the said persons, being senior Congressmen, would naturally vote for the Congress candidate. There could be no reason why the Congress members belonging to the Congress Party should not have voted for the Congress Candidate. But it seems that the appeal of respondent No. 2 to vote for him on the ground of his religion and community proved irresistible to the said persons and they

therefore betrayed the Congress Party and voted for respondent No. 2 on an appeal made to them on account of his religion and community.

32. That but for the votes obtained by respondent No. 2 by this corrupt practice by these persons which are ten, the petitioner would have obtained a majority of valid votes.

33. That the votes of the ten Sikh MLAs belonging to Congress Party which had been obtained by respondent No. 2 by corrupt practice should be excluded from the total of 32 votes polled by respondent No. 2. After the elimination of such votes, as obtained by corrupt practice, the balance of votes left to respondent No. 2 is reduced by at least 10 votes and the petitioner, who obtained 27 valid votes is, therefore, entitled to and should be declared elected.

34. That it is clear that the petitioner received a majority of valid votes against respondent No. 1 because if the votes which were improperly received for the respondent No. 1 are excluded the petitioner would have received majority of valid votes.

35. That the inspection, scrutiny and re-examination and recounting of the ballot papers of respondent No. 1 would clearly show that four votes have been improperly received in his favour which votes were void and the result of the election has thus been materially affected.

36. That similarly, inspection, scrutiny and re-examination and recounting of the ballot papers of respondent No. 2 would show that ten votes were obtained by him on account of the corrupt practice and the said votes could not have been counted for him. That by thus including these ten votes obtained on account of the corrupt practice the result of the election of respondent No. 2 has been materially affected.

37. That with the consent of respondent No. 2, a sum of Rs. 2,000/- was offered by a Deputy Minister to Thakur Mehr Singh, M.L.A., to vote for respondent No. 2. Thakur Mehr Singh has lodged a complaint to this effect with the Chief Minister, Punjab, and some other leaders. The respondent No. 2 has thus committed a corrupt practice within the meaning of section 123(1) of the Act and his election is, therefore, void.

38. That as the respondent No. 1 has also committed the corrupt practice of false statement under section 123(4), his election should be declared void.

39. That the election of respondent No. 2 be also declared void as he has also committed the corrupt practice on the ground of his religion and community as mentioned in section 123(3) of the Act.

40. That a deposit of Rs. 2,000/- as required under section 117 of the Act is herewith enclosed.

41. It is, therefore, respectfully prayed as under:—

- (a) That the inspection, scrutiny and recounting of ballot papers of respondent No. 1 and 2 be kindly ordered and the void votes which have been received and counted in favour of respondents 1 and 2 be excluded from the number of votes cast for them.
- (b) That a scrutiny of the rejected ballot paper should also be ordered and the vote which was improperly rejected should be received and counted in favour of the petitioner.
- (c) That after inspection and scrutiny and recounting the ballot papers of the respondent No. 1, four ballot papers which were improperly received for respondent No. 1 should be excluded from the counting and the total votes thus cast for respondent No. 1 be declared as 23.92 and the petitioner who has obtained majority of valid votes cast for him should be declared elected.
- (d) That similarly the ballot papers of ten persons who have voted in favour of respondent No. 2 because of commission of corrupt practice should be excluded from his counting and after such exclusion, the votes of respondent No. 2 be declared as 22 and the petitioner who has obtained majority of valid votes should be instead declared elected.
- (e) That the election of respondent No. 1 who has committed the corrupt practice under 123(2) and 123(4) should be declared void.

- (f) That the election of respondent No. 2 who has committed the corrupt practice under 123(1) and 123(3) should be declared void.
- (g) That as the Returning Officer has deliberately violated the Act and the Rules, the inspection, scrutiny and the recounting of all the ballot papers of all the respondents be done and after proper scrutiny and recounting the votes cast in favour of the petitioner which have been improperly received and counted in favour of the other respondents be excluded and instead be counted in favour of the petitioner.
- (h) That the petitioner who has obtained majority of the valid votes should be declared duly elected to the Rajya Sabha from the election held by the members of the Punjab Legislative Assembly on 28th of March, 1966.

(Sd.) RAVINDRA NATH, Petitioner.

Dated Chandigarh,
the 9th May, 1966.

Verification:

I, Ravindra Nath, son of Late Lala Ishwar Das, Sector 16-C, Chandigarh, do hereby verify that paras 1 to 5, 7 to 12, 17, 18, 21, 23, 27 and 40 are true to best of my knowledge while paras 6, 13 to 16, paras 19, 20, 22, 24, 25, 26 and paras 28 to 39 are based on information received and are believed to be true.

Verified at Chandigarh,
on 9th May, 1966.

(Sd.) RAVINDRA NATH,
S/o Late Lala Ishwar Das,
Sector 16-C, Chandigarh
Petitioner.

Affidavit

I, Ravindra Nath s/o, Late Lala Ishwar Das, the petitioner in the accompanying election petition calling in question the election of Shri Raghbir Singh and Shri Narinder Singh (respondent No. 1 and 2 in the said petition) make solemn affirmation/oath and say—

- (a) that the statements made in paragraph 23 of the accompanying election petition about the commission of the corrupt practice of undue influence and the particulars of such corrupt practice mentioned in paragraph 23 of the same petition are true to my knowledge;
- (b) that the statements made in paragraphs 20, 22, 24, 25, 26, 27, 31, 32, 33, 36, 37, 38 and 39 of the said petition about the commission of corrupt practice of undue influence, publishing a false statement of fact in relation to the candidature of the petitioner, an appeal by respondent No. 2 to vote on the ground of his religion and community and bribery and the particulars of such corrupt practice given in paragraphs 20, 22, 24, 25, 26, 27, 31, 32, 33, 36, 37, 38 and 39 of the said petition and in paragraph of P-2 of the Schedule annexed thereto are true to my information.

Sd./- RAVINDRA NATH, MLC,

Signature of deponent.
Sector 16C,
Chandigarh.

Solemnly affirmed/sworn by Shri Ravindra Nath at Chandigarh this 9th day of May, 1966.

Before me.

Sd./- A. S. MAHAJAN,
Oath Commissioner,
Chandigarh.

Dated: 9th May, 1966.

Exhibit P-1

20th March, 1966.

RAVINDRA NATH, M.L.C.

Respected Sir,

After getting your approval, I have gone ahead and made all the preparations to fight the fourth Rajya Sabha Seat. My nomination papers which were filed under verbal instructions of Shri Ram Kishanji, have been scrutinised and accepted on March 18.

When you were away to Madras, Mr. Panjhazari started putting all kinds of pressures through different sources to upset your decision.

Sir, if anyone is afraid that by allotting surplus votes to me one of the three candidates may lose, let all the votes be divided amongst them and I be given the total second preferences only as decided in a meeting of the Punjab Cabinet on March 17. Sir, when they get all the votes why should they object if the party wins the fourth seat?

I am continuing the fight with full faith in you.

With respectful regards, Sir.

Yours sincerely,

Sd./- RAVINDRA NATH.

SHRI K. KAMARAJ,

President,

All India Congress Committee,
New Delhi.

Verification

I, Ravindra Nath, son of Late Lala Ishwar Das, Sector 16-C, Chandigarh, do hereby verify that the contents of the above are based on personal knowledge and are believed to be true.

Sd./- RAVINDRA NATH,

Dated Chandigarh, the 9th May 1966

son of Late Lala Ishwar Das, Sector 16-C,
Chandigarh.

Petitioner.

Exhibit P-2

Tribune Ambala Cantt. dated 27th March, 1966

Biennial Poll.

KAMARAJ'S DIRECTIVE TO PUNJAB CONGRESS.

New Delhi, March 26 (UNI)—The Congress President Mr. Kamraj, has directed the Punjab Congress to contest only three seats for the Rajya Sabha and five for the Legislative Council in the forthcoming Biennial election.

The Punjab Congress had earlier set up five candidates for the Rajya Sabha. Two of them were to get extra Congress vote.

With the latest order of Mr. Kamraj, all the Congress votes will now be polled for three candidates only. They are Mr. Neki Ram, Mr. Salig Ram and Mr. R. S. Panjhazari.

Verification

I, Ravindra Nath, son of Late Lala Ishwar Das, Sector 16-C, Chandigarh, do hereby verify that the contents of the above are based on information received and are believed to be true.

Sd./- RAVINDRA NATH,
son of Late Lala Ishwar Das,
Sector 16-C, Chandigarh.

Petitioner

Dated Chandigarh, the 9th May, 1966.

*Exhibit P-3***PUNJAB CONGRESS LEGISLATURE PARTY**

Tel: 2330.

Room No. 80,
 Vidhan Bhawan,
 Chandigarh.
 28-3-1966.

*WHIP***Dear Friends,**

All the Congress M.L.As are informed that neither Shri Ravindra Nath, M.L.C. nor Shri Partap Singh Daulta, ex-M.P., are approved candidates for Elections to the Rajya Sabha for which votes have to be cast today. Congress M.L.As are, therefore, requested *NOT* to vote for these unapproved Candidates.

Congress M.L.As are further requested to vote **STRICTLY ACCORDING TO THE DULY APPROVED DIRECTIONS** which may be had from the Party Office temporarily set up in the Room adjoining Committee Room 'A', Vidhan Bhawan, Chandigarh.

For the Rajya Sabha

1. Shri Nekl Ram,
2. Shri Raghbir Singh, and
3. Dr. Salig Ram.

For the Punjab Legislative Council.

1. Shri Avtar Narain,
2. Shri Bansi Lal,
3. Shri Durga Dass,
4. Shri Nihal Singh, and
5. Professor Yashwant Rai.

so that the duly approved Candidates are elected to the Rajya Sabha and Punjab Legislative Council, as the case may be.

Yours sincerely,

Sd./- RAM KISHAN,
Leader.**To**

All the Congress M.L.As in Punjab Vidhan Sabha.

Verification

I, Ravindra Nath, son of Late Lala Ishwar Das, Sector 16-C, Chandigarh, do hereby verify that the contents of the above are based on information received and are believed to be true.

Sd./- RAVINDRA NATH,

son of Late Lala Ishwar Das,
 Sector 16-C, Chandigarh.

Dated, Chandigarh, the 9th May, 1966.

Petitioner.

Exhibit P-4
PUNJAB CONGRESS LEGISLATURE PARTY

Tel: 2330.

Room No. 60,
Vidhan Bhawan,
Chandigarh.
26-3-1966.

Dear Friends,

You have already been requested, *vide* Party Whip dated 21st March, 1966, to make it a point to remain at Chandigarh, in Vidhan Bhawan, on 28th March, 1966, in order that you may cast your votes in favour of Congress nominees in the Biennial Elections to the Rajya Sabha and Punjab Legislative Council. You have further been informed that the Poll has to take place from 10 A.M. to 3 P.M. on 28th March, 1966, in Committee Room 'A', Punjab Vidhan Sabha Secretariat, Chandigarh.

2. The Lists of Congress Voters allotted to each Congress Candidate for the Rajya Sabha and Punjab Legislative Council have already been handed over to the Candidates concerned and the Congress M.L.As. who asked for the same. Members of the Party desirous of obtaining these Lists, may have the same from the Office of this Party in Room No. 60, Vidhan Bhawan, Chandigarh.

You are, accordingly, requested to cast your votes in favour of the Congress Candidates as per DIRECTIONS which may kindly be had from the Office Secretary, Punjab Congress Legislature Party, who will be sitting in the room adjoining the Committee Room 'A' on 28th March, 1966, so as to avoid inconvenience to you in obtaining the DIRECTIONS.

As you have already been informed *vide* para 2 of this Party Whip dated 21st March, 1966, the approved Congress nominees for these Biennial Elections are as under:—

For the Punjab Legislative Council

1. Shri Avtar Narain Gujral,
2. Shri Bansi Lal,
3. Shri Durga Dass Khanna,
4. Maharaj Sardar Nihal Singh, and
5. Professor Yashwant Rai.

For the Council of States.

1. Shri Neki Ram,
2. Shri Raghbir Singh Panjhaazari, and
3. Dr. Salig Ram.

Kindly make a due note of these important DIRECTIONS of the Leader and ensure that not only you may be present in the Vidhan Bhawan Building throughout the entire period of these Elections, but also that you cast your votes in favour of the Congress nominees mentioned above, according to the Directions which will be made available to you on the morning of the date of these Biennial Elections (i.e. 28th March, 1966).

Yours Sincerely,
Sd./- RAM KISHAN,
Leader.

To All the Members of the Punjab Congress Legislature Party in the Punjab Vidhan Sabha.

Verification

I, Ravindra Nath, son of Late Lala Ishwar Das, Sector 16-C, Chandigarh, do hereby verify that the contents of the above are based on information received and are believed to be true.

Sd./- RAVINDRA NATH,
s/o Late Lala Ishwar Das, Sector 16-C, Chandigarh.

—Petitioner.
Dated, Chandigarh,
the 9th May, 1966.

MINISTRY OF HOME AFFAIRS

New Delhi, the 19th May 1966

S.O. 1534.—In exercise of the powers conferred by section 3 of the Delhi Special Police Establishment Act, 1948 (25 of 1946), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Home Affairs, No. 25/12/62-AVD.I, dated the 18th February, 1963, as subsequently amended, namely:—

In the said notification,—

- (i) clauses (1) and (m) shall be omitted;
- (ii) in clause (v) for the words, letters and brackets "clauses (1) to (u)", the words, letters and brackets "clauses (n) to (u)" shall be substituted.

[No. 228/2/66-AVD.II.]

A. P. VEERA RAGHAVAN, Dy. Secy.

MINISTRY OF LAW

(Department of Company Affairs)

New Delhi, the 10th May 1966

S.O. 1535.—In partial modification of the late Department of Company Affairs and Insurance, Ministry of Finance Notification No. 2(35)-Admn. II/63, dated 18th October, 1965 and in exercise of the powers conferred by sub-sections (1) and (2) of section 609 of the Companies Act, 1956 (1 of 1956), the Central Government hereby directs that there shall be an office at Kohima for the registration of companies under the said Act in the State of Nagaland and hereby appoints Shri I Longkumar, Deputy Secretary to the Government of Nagaland, Judicial Department as ex-officio Registrar of Companies for registration of companies in the said State with effect from 1st June, 1966, until further orders.

[No. 2/35/63-Admn. II.]

K. C. CHAND, Under Secy.

विधि मंत्रालय

(कम्पनी कार्य विभाग)

नई दिल्ली, 10 मई 1966

एस० श्री० 1536 वित्त मंत्रालय, भूतपूर्व कम्पनी कार्य तथा बीमा विभाग की तारीख 18 अक्टूबर 1965 की अधिसूचना संख्या 2 (35)-प्रशा० II/63 का भागतः उपान्तरण करने हुए और कम्पनी अधिनियम, 1956 (1956 का 1) की धारा 609 की उपधाराओं (1) और (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद् द्वारा निदेश देती है कि उक्त अधिनियम के अधीन नागालैंड राज्य में कम्पनियों के रजिस्ट्रीकरण के लिए कोहिमा में एक कार्यालय होगा तथा नागालैंड सरकार, न्याय विभाग के उप-सचिव श्री श्राई० लौगकुमार को 1 जून 1966 से अपर आदेश पर्णत उक्त राज्य में कंपनियों के रजिस्ट्रीकरण के लिए पद्धत कम्पनी रजिस्ट्रार एतद् द्वारा नियुक्त करती है।

[स० 2/35/63-प्रशा० II]

के० सी० चन्द्र,
अवर सचिव, भारत सरकार।

MINISTRY OF FINANCE

(Department of Expenditure)

New Delhi, the 18th May 1966

S.O. 1537.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor-General in relation to persons serving in Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Contributory Provident Fund Rules (India) 1962, namely:—

1. These rules may be called the Contributory Provident Fund (India) (Fourth Amendment) Rules, 1966.

2. In the Contributory Provident Fund Rules (India), 1962 for sub-rule (3) of rule 17, the following sub-rules shall be substituted, namely:—

“(3) A subscriber who has been permitted under clause (d), clause (e) or clause (f) of sub-rule (1) of rule 16 to withdraw money from the amount of subscription together with interest thereon standing to his credit in the Fund shall not part with the possession of the house so built or acquired or house site so purchased, by way of sale, mortgage, gift, exchange, or lease for a term exceeding three years, without the previous permission of the sanctioning authority. He shall submit a declaration not later than the 31st day of December of every year to the effect that the house or as the case may be, the housesite continues to be in his possession and shall, if so required, produce before the sanctioning authority on or before the date specified by that authority in that behalf the original sale deed and other documents on which his title to the property is based.

If at any time before retirement, he parts with the possession of the house or house site without obtaining previous permission of the sanctioning authority, the sum withdrawn by him shall forthwith be repaid on one lump sum together with interest thereon at the rate determined under rule 12 by the subscriber to the Fund and in default of such repayment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump sum or in such number of monthly instalments, as may be determined by the President.

(4) Nothing in sub-rule (2) of sub-rule (3) shall be deemed to require a subscriber whose deposits in the Fund carry no interest to pay any interest on any sum repayable by him under that sub-rule.”

[No. F. 23(27)-EV(B)/65-CPF.]

S.O. 1538.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the General Provident Fund (Central Services) Rules 1960, namely:—

1. These rules may be called the General Provident Fund (Central Services) (Third Amendment) Rules, 1966.

2. In the General Provident Fund (Central Services) Rules, 1960 for sub-rule (3) of rule 16, the following sub-rules shall be substituted, namely:—

“(3) A subscriber who has been permitted under clause (d), clause (e) or clause (f) of sub-rule (1) of rule 15 to withdraw money from the amount standing to his credit in the Fund shall not part with the possession of the house so built or acquired or house site so purchased, by way of sale, mortgage, gift, exchange, or lease for a term exceeding three years, without the previous permission of the sanctioning authority. He shall submit a declaration not later than the 31st day of December of every year to the effect that the house or, as the case may be, the housesite continues to be in his possession and shall, if so required, produce before the sanctioning authority on or before the date specified by that authority in that behalf, the original sale deed and other documents on which his title to the property is based.

If at any time before retirement, he parts with the possession of the house or housesite without obtaining the previous permission of the sanctioning authority the sum withdrawn by him shall forthwith be repaid in one lump sum together with interest thereon at the rate determined under rule 11, by the subscriber to the Fund and in default of such repayment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump sum or in such number of monthly instalments, as may be determined by the President.

- (4) Nothing in sub-rule (2) or sub-rule (3) shall be deemed to require a subscriber whose deposits in the Fund carry no interest to pay any interest on any sum repayable by him under that sub-rule."

[No. F. 23(27)-EV(B)/65-CPF.]

C. K. SUBRAMANIAN, Under Secy.

(Department of Economic Affairs)

New Delhi, the 17th May 1966

S.O. 1539.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9 of the said Act shall not apply to the Syndicate Bank Ltd., Manipal (South Kanara), in respect of the property held by it in Asandi Village of Kadur Taluk (Arsikere), till the 21st May, 1967.

[No. F. 15(12)-BC/66.]

V. SWAMINATHAN, Under Secy.

(Department of Revenue and Insurance)

New Delhi, the 21st May 1966

S.O. 1540.—In pursuance of sub-paragraph (3) of paragraph 19 of the Emergency Risks (Goods) Insurance Scheme, the Central Government recognises the following further persons as 'loss assessors' for the purposes of that paragraph:—

1. Messrs Middleton Salvage Company, 10, Middleton Street, Calcutta-16.
2. Messrs Claims Care Corporation, 12, Netaji Subhas Chandra Bose Road, Calcutta-1.
3. Messrs. S. D. Ghosal & Company, 22/4-a, Ferm Road, Calcutta-19.
4. Messrs Norman Stewart & Co., 14, Netaji Subhas Chandra Bose Road, Calcutta-1.
5. Messrs Lardner North & Co., 8, Strand Road, Calcutta-1.

[No. F. 112(1)-INS.I/66-ERI(I).]

S.O. 1541.—In pursuance of sub-paragraph (2) of paragraph 18 of the Emergency Risks (Factories) Insurance Scheme, the Central Government recognises the following further persons as 'loss assessors' for the purposes of that paragraph:—

1. Messrs Middleton Salvage Company, 10, Middleton Street, Calcutta-16.
2. Messrs Claims Care Corporation, 12, Netaji Subhas Chandra Bose Road, Calcutta-1.

3. Messrs. S. D. Ghosal & Company, 22/4-a, Form Road, Calcutta-19.
4. Messrs. Norman Steward & Company, 14, Netaji Subhas Chandra Bose Road, Calcutta.
5. Messrs. Lardner North & Co., 8, Strand Road, Calcutta.

[No. F. 112(1)-INS.I/66-ERI(II).]

(INSURANCE)

New Delhi, the 16th May 1966

S.O. 1542.—In pursuance of the provisions of sub-section (2) of Section 64-G of the Insurance Act, 1938, the Central Government hereby nominates Shri H.D.R. Edwards of the Royal Exchange Assurance Company Ltd., Calcutta, as a member of the Executive Committee of the General Insurance Council of the Insurance Association of India in place of Shri B. J. O. Shaughnessy, resigned.

[No. F. 61(19)-INS. I/64.]
RAJ K. NIGAM, Dy. Secy.

(Department of Revenue and Insurance)

CORRIGENDUM

SURTAX

New Delhi, the 18th May 1966

S.O. 1543.—In the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. S.O. 3856, dated the 13th December, 1965, published at page 1275 in Part II—Section 3—Sub-section (ii) of the Gazette of India Extraordinary, dated the 13th December, 1965, in the tenth line, for "Industrial and Investment", read "Industrial Investment".

[No. 44/F. No. 12(1)-66/TPL.]
JAMUNAA PRASAD SINGH, Addl. Secy.

CENTRAL BOARD OF DIRECT TAXES

INCOME-TAX

New Delhi, the 18th May 1966

S.O. 1544.—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby directs that in its Notification No. 20 (F. No. 55/1/62-IT), dated the 30th April, 1963, published as S.O. 1293, on pages 1454-1457 of the Gazette of India Part II Section 3 sub-section (ii), dated the 11th May, 1963, as amended from time to time:—

Against S. No. 15A, Uttar Pradesh-II, Lucknow under column 3 of the Schedule appended thereto, the following shall be added:

31. Shahjahanpur.

[No. 45 (F. No. 55/181/66-IT.)]
G. M. KULKARNI, Under Secy.

OFFICE OF THE DEPUTY COLLECTOR OF C.E. AND CUSTOMS, AMRITSAR

Amritsar, the 19th May 1966

(Amendment to Notification issued under C. No. V(4)DC/22/5CE/64/7364-98, dated 22nd April, 1966)

S.O. 1545.—Against S. No. 4 of the Schedule to the above Notification under Column 7 for the words "All villages except Bhankerpur and Dabota" read as "All villages".

[C. No. V(4)DC/22/5CE/64/8782-8818.]
B. J. SUARES, Dy. Collector.

COLLECTORATE OF CENTRAL EXCISE, WEST BENGAL, CALCUTTA**CENTRAL EXCISE***Calcutta, the 18th March 1966*

S.O. 1546.—In exercise of the powers conferred on me by Rule 5 of the Central Excise Rule 1944, I hereby authorise and empower the officers of the rank specified in Col. 2 of the Table below, to exercise within their respective jurisdiction the powers of the Collector under the Rules mentioned in Col. 3 of the said table, subject to the conditions and limitations, indicated in Col. 4 thereof:

TABLE

Sl. No.	Rank of Officer.	Relevant C. E. Rules in respect of which power is delegated.	Restrictions, if any.
1.	2.	3.	4.
1.	An officer not below the rank of Superintendent.	96 K (2)	The power for condonation of delay not exceeding
"	"	96 Q (2)	(a) (i) 2 days in the case of weekly application and weekly deposits,
"	"	92 C (2)	(ii) 5 days in the case of monthly/quarterly applications and monthly quarterly deposit and (iii) 10 days in the case of annual applications and annual deposits.
			(b) If the delay exceeds the limits under (a) above the Asstt. Collrs. shall exercise the Collr.'s powers under the said Rules.
2.	The earlier Collectorate Notification No. 4/1963, dated 26th July, 1963, may be treated to have been modified to the extent as indicated above.		

[No. 2/1966.]

D. R. KOHLI, Collector.

MINISTRY OF COMMERCE*New Delhi, the 19th May 1966*

S.O. 1547.—In exercise of the powers conferred by sub-clause (i) of clause 5 of the Cotton Textiles (Export Control) Order, 1949, the Central Government hereby make the following further amendments in the notification of the Government of India in the late Department of Commerce No. 67-CW(25A)/48, dated the 26th March, 1949, namely:—

In the said notification, in sub-paragraph (b) of paragraph 6—

(i) for item (ii), the following shall be substituted, namely:—

“(ii) total length in linear yards or metres”.

(ii) items (iii) and (iv) shall be omitted and items (v) to (viii) shall respectively be renumbered as items (iii) to (vi) thereof.

[No. F. 29(10)-Tex(A)/66.]

DAULAT RAM, Under Secy.

MINISTRY OF INDUSTRY

ORDERS

New Delhi, the 17th May 1966

S.O. 1548.—In exercise of the powers conferred by section 18-G of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following Order further to amend the Scooters (Distribution and Sale) Control Order, 1960, namely:—

1. This Order may be called the Scooters (Distribution and Sale) Control (Second Amendment) Order, 1966.

2. In the Scooters (Distribution and Sale) Control Order, 1960, in clause 6, after sub-clause (2), the following sub-clause shall be inserted, namely:—

“(2A) Where more than one application is received on the same date, the time of receipt of each of the applications shall be entered thereon and the names shall be duly registered according to the point of time of receipt of each of the applications:

Provided that where more than one application is received at the same point of time, those applications may be arranged in alphabetical order of the names and duly registered in that order.”

[No. 9(12)/66-A.E.Ind.(I).]

S.O. 1549.—In exercise of the powers conferred by section 18-G of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following Order further to amend the Commercial Vehicles (Distribution and Sale) Control Order, 1963, namely:—

1. This Order may be called the Commercial Vehicles (Distribution and Sale) Control (Second Amendment) Order, 1966.

2. In the Commercial Vehicles (Distribution and Sale) Control Order, 1963, after sub-clause (2) of clause 6, the following sub-clause shall be inserted, namely:—

“(2A) Where more than one application is received on the same date, the time of receipt of each of the applications shall be entered thereon and the names shall be duly registered according to the point of time of receipt of each of the applications:

Provided that where more than one application is received at the same point of time, those applications may be arranged in alphabetical order of the names and duly registered in that order.”

[No. 15(7)/66-A.E.Ind.(I).]

S.O. 1550.—In exercise of the powers conferred by section 18-G of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following Order further to amend the Motor Cars (Distribution and Sale) Control Order, 1959, namely:—

1. This Order may be called the Motor Cars (Distribution and Sale) Control (Second Amendment) Order, 1966.

2. In the Motor Cars (Distribution and Sale) Control Order, 1959, after sub-clause (2) of clause 6, the following sub-clause shall be inserted, namely:—

“(2A) Where more than one application is received on the same date, the time of receipt of each of the applications shall be entered thereon and the names shall be duly registered according to the point of time of receipt of each of the applications:

Provided that where more than one application is received at the same point of time, those applications may be arranged in alphabetical order of the names and duly registered in that order."

[No. 8(15)/66-A.E.Ind.(I).]

R. V. RAMAN, Jt. Secy.

(Indian Standards Institution)

New Delhi, the 13th May 1966

S.O. 1551.—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961, 1962 and 1964, the Indian Standards Institution hereby notifies that twenty-two licences, particulars of which are given in the Schedule hereto annexed, have been granted authorizing the licensees to use the Standard Mark.

THE SCHEDULE

Sl. No.	Licence No. and dt. (1)	Period of Validity (2)		Name and Address of the Licensee (5)	Article/Process Covered by the Licence (6)	Relevant Indian Standard (7)
		From (3)	To (4)			
1	CM/L-1236 1-4-1966	1-4-66	31-3-67	M/s. Ruby Rubber Works Ltd., Ruby Nagar, Post Office Changanacherry, Kerala.	Bicycle rubber tubes Brand — 'Ruby Tube'.	IS : 2415-1963 Specification for bicycle rubber tubes.
2	CM/L-1237 1-4-1966	16-4-66	15-4-67	M/s. Fort Gloster Industries Ltd., Bauria, S.E. Railway having their office at 14 Netaji Subhas Road, Calcutta-I.	Paper insulated lead-sheathed cables (with aluminium con- ductors) for electricity supply upto 11 kV Brand — 'GLOSTER'.	IS : 692-1965 Specification for paper insulated lead-sheathed cables for electricity supply (revised).
3	CM/L-1238 1-4-1966	16-4-66	15-4-67	M/s. Shibu Metal Works, Subzi Mandi, Jagadhri (Punjab).	Rolled brass sheet and strip, Grade BS 60 Brand — 'KAMAL'.	IS : 410-1959 Specification for rolled brass, plate, sheet, strip and foil (revised).
4	CM/L-1239 4-4-1966	16-4-66	15-4-67	M/s. Venkateswara Agro Chemi- cals & Minerals, 6/303 Thiru- vottiyur High Road, Madras- 21.	BHC dusting powders Brand — 'VACM'.	IS : 561-1962 Specification for BHC dusting powders.
5	CM/L-1240 4-4-1966	16-4-66	15-4-67	M/s. Venkateswara Agro Che- micals & Minerals, 6/303 Thi- ruvottiyur High Road, Mad- ras-21.	DDT dusting powders Brand — 'VACM'.	IS : 564-1961 Specification for DDT dusting powders.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
6	CM/L-1241	15-4-66	15-4-67	M/s. Unipol Plastic Industries Pvt. Ltd., Odhav, Distt. Ahmedabad having their registered office at Setalvad House, Mirzapur Road, Ahmedabad.	(i) Single core (unsheathed) PVC insulated cables with aluminium conductors 250/440 volts and 650/1 100 volts grades. (ii) Single core (PVC sheathed) PVC insulated cables with aluminium conductors 250/440 volts and 650/1 100 volts grades. Brands — "UNILITE" and "SIGMA".	IS : 694 (Part II)—1964 Specification for PVC insulated cables (for voltages upto and including 100 volts) with aluminium conductors (revised).
7	CM/L-1242	16-4-66	15-4-67	M/s. Plava Chemicals, 3-C Nelson Manicka, Mudaliar Road, Aminjikarai, Madras-29.	Endrin emulsifiable concentrates Brand—"PLAVA".	IS : 1310-1958 Specification for endrin emulsifiable concentrates.
8	CM/L-1243	16-4-66	15-4-67	M/s. Bharat Pulverising Mills Pvt. Ltd., Andheri-Kurla Road, Andheri, Bombay-58 having their office at Hexamar House, 28 Sayani Road, Bombay-28.	Methyl parathion emulsifiable concentrates. Brand—"PARAMAR".	IS : 2865-1964 Specification for methyl parathion emulsifiable concentrates.
9	CM/L-1244	1-5-66	30-4-67	M/s. Shamsher Sterling Cable Corporation Ltd., Kiroli-Ghatkopar, Bombay having their registered office at Vaswani Mansions, Dinsa Vacha Road, Bombay-1.	Hard-drawn stranded all aluminium conductors for overhead power transmission purposes (up to 439 dia only) Brand — "STERLITE".	IS : 398-1961 Specification for hard-drawn stranded aluminium and steel-cored aluminium conductors for overhead power transmission purposes (revised).
10	CM/L-1245	1-5-66	30-4-67	M/s. Assam Conductors & Tubes Pvt. Ltd., Industrial Estate, Gauhati (Assam).	Hard-drawn stranded aluminium and steel cored aluminium conductors for overhead power transmission purposes Brand — "ASCON".	IS : 398-1961 Specification for hard-drawn stranded aluminium and steel cored aluminium conductors for overhead power transmission purposes (revised).
11	CM/L-1246	1-5-66	30-4-67	M/s. Mysore Feeds (Private) Ltd., Mysore Road, Nayandahalli, Bangalore, having their office at 230 Old Thara-gupet, Bangalore-2.	Balanced feed mixtures for cattle Brand — "MILKCAN".	IS : 2052-1962 Specification for balanced feed mixtures for cattle.

12	CM/L-1247 21-4-1966	.	.	1-5-66	30-4-67	M/s. Sur Enamel & Stamping Works Private Ltd., 24 Middle Road, Entally, Calcutta-14.	Enamelware for home use (which basins only) Brand—'TORCH'	IS : 3149-1965 Specification for enamelware for home use.
13	CM/L-1248 22-4-1966	.	.	1-5-66	30-4-67	M/s. J. K. Steel Ltd., Risbra, Distt. Hooghly (West Bengal) having their office at 18 Rabindra Sarani, Calcutta-1.	Round strand galvanized steel wire ropes for shipping purposes. Brand—'JK'	IS : 2581-1963 Specification for round strand galvanized steel wire ropes for shipping purposes.
14	CM/L-1249 22-4-1966	.	.	1-5-66	30-4-67	M/s. Shree Bajrang Electric Steel Co. Pvt. Ltd., 1 Kali Mazumdar Road, Ghusury, Howrah having their office at 9 Waterloo Street, Calcutta-1.	Structural steel (standard quality).	IS : 226-1962 Specification for structural steel (standard quality) (<i>third revision</i>).
15	CM/L-1250 22-4-1966	.	.	1-5-66	30-4-67	M/s. Shree Bajrang Electric Steel Co. Pvt. Ltd., 1 Kali Mazumdar Road, Ghusury, Howrah having their office at 9 Waterloo Street, Calcutta-1.	Structural steel (ordinary quality)	IS : 1977-1962 Specification for structural steel (ordinary quality).
16	CM/L-1251 22-4-1966	.	.	1-5-66	30-4-67	M/s. Glolite Electricals, Champs Bhimji Road, Mazagaon, Bombay-10.	Ballasts for fluorescent lamps (for switch start circuits). Brand—'Hi-Q'	IS : 1534 (Part I)-1960 Specification for ballasts for fluorescent lamps for switch start circuits.
17	CM/L-1252 26-4-1966	.	.	1-5-66	30-4-67	M/s. Mukand Iron & Steel Works Ltd., Kalwe Thana (Maharashtra State).	Structural steel (standard quality)	IS : 226-1962 Specification for structural steel (standard quality) (<i>third revision</i>).
18	CM/L-1253 26-4-1966.	.	.	1-5-66	30-4-67	M/s. Mukand Iron & Steel Works Ltd., Kalwe Thana (Maharashtra State.)	Structural steel (Ordinary quality)	IS : 1977-1962 Specification for structural steel (ordinary quality).
19	CM/L-1254 26-4-1966.	.	.	1-6-66	31-5-67	M/s. Eastern Industries India Pvt. Ltd., 122/230 Kalpi Road, Kanpur having their office at 7/191 Swarup Nagar, Kanpur.	Portable chemical fire extinguisher foam type. Brand—'FRIEND'	IS : 933-1959 Specification for portable chemical fire extinguisher, foam type.
20	CM/L-1255 26-4-1966	.	.	16-5-66	15-5-67	The Indian Rolling Mills, 79, Fazalganj, Kanpur.	Mild steel and medium tensile steel bars and hard-drawn steel wire for concrete reinforcement.	IS : 432-1960 Specification for mild steel and medium tensile steel bars and hard-drawn steel wire for concrete reinforcement.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
21	CM/L-1256 26-4-1966.	16-5-66	15-5-67	M/s. Popular Iron & Steel Co., South Station Road, Agar- para, 24 Parganas (West Bengal).	Structural steel (ordinary quality) tested rolled steel sections of 6 mm to 12.5 mm ($\frac{1}{2}$ " to $\frac{1}{2}$ ") dia rounds and other sections of equivalent area.	IS : 1977-1962 Specification for structural steel (ordinary qual- ity).
22	CM/L-1257 29-4-1966.	1-5-66	30-4-67	M/s. Chemi Mineral Mills, Cha- kravati Ashoka Road, Kandivli (East), Bombay-67 having their office at 7-A, Dean Lane, Fort, Bombay-1.	DDT water dispersible powder concentrates.	IS : 565-1961 Specification for DDT water dispersible powder concentrates.

[No. MD/33:16]

S.O. 1552.—In pursuance of sub-regulation (1) of regulations 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that thirtyeight licences particulars of which are given in the Schedule hereto annexed, have been renewed.

THE SCHEDULE

Sl. No.	Licence No. & date	Period of Validity		Name and Address of the Licensee see	Articles Covered by the Licence	Relevant Indian Standard(s)
		From (3)	To (4)			
1	CM/L-78 24-4-1958	1-5-66	30-4-67	M/s. Crossley & Towers Private Ltd., 7A, Lower Circular Road, Calcutta-17.	Tea-chest plywood panels.	IS : 10-1953 Specification for plywood tea-chests (revised).
2	CM/L-86 24-4-1958	1-5-66	30-4-67	The Surma Match & Industries Private Ltd., 67B, Netaji Subhas Road, (Room No. 56), Calcutta-1.	Tea-chest plywood panels.	IS : 10-1953 Specification for plywood tea-chests (revised).
3	CM/L-120 20-3-1962	1-4-66	31-3-67	M/s. Himalayan Plywood Industries Private Ltd., P.O. Tinsukia, Distt Lakhimpur, Assam.	Tea-chest plywood panels.	IS : 10-1953 Specification for plywood tea-chests (revised).
4	CM/L-180 30-3-1960	16-4-66	15-4-67	M/s. Shiv Scientific and Chemicals, 55, Industrial Estate, Agra.	Nitric acid, pure and analytical reagent grades.	IS : 264-1950 Specification for nitric acid.
5	CM/L-181 30-3-1960	16-4-66	15-4-67	M/s. Shiv Scientific and Chemicals, 55, Industrial Estate, Agra.	Hydrochloric acid, pure and analytical reagent grades.	IS : 265-1962 Specification for hydrochloric acid.
6	CM/L-182 30-3-1960	16-4-66	15-4-67	M/s. Shiv Scientific and Chemicals, 55, Industrial Estate, Agra.	Sulphuric acid, pure and analytical reagent grades.	IS : 266-1961 Specification for sulphuric acid.
7	CM/L-185 26-4-1960	1-5-66	30-4-67	M/s. Shalimar Tar Products (1935) Ltd., 6, Lyons Range, Calcutta.	Bitumen felts for water proofing and damp-proofing. Brand names 'SHALIMOID' and "TARFELT".	IS : 1322-1959 Specification for bitumen felts for waterproofing and damp-proofing.
8	CM/L-186 26-4-1960	1-5-66	30-4-67	M/s. P.S.G. Industrial Institute, Peelamedu, Coimbatore-4.	Three-phase induction motors from 1 H.P. to 10 H.P.	IS : 325-1961 Specification for three-phase induction motor (second revision).

(1)	(2)	(3)	(4)	(5)	(6)	(7)	
9	CM/L-241 21-II-1960	.	16-4-66	15-4-67	M/s. Bharat Pulverising Mills Pvt. Ltd., Chinchpokli Cross Lane, Byculla, Bombay-2.	BHC water dispersible powder concentrates.	IS : 562-1962 Specification for BHC water dispersible powder concentrates (second revision).
10	CM/L-285 28-3-1961	.	16-4-66	15-4-67	M/s. All India Medical Corporation, Mulji Jetha Building, 185, Princess Street, Bombay-2.	BHC dusting powders.	IS : 561-1962 Specification for BHC dusting powders (second revision).
11	CM/L-288 28-3-1961	.	16-4-66	15-4-67	Dr. Writer's Chocolates & Canning Co., Bhavanishankar Rd., Dadar, Bombay 28.	Macaroni, spaghetti and vermicelli.	IS : 1485-1959 Specification for macaroni, spaghetti and vermicelli.
12	CM/L-402 29-3-1962	.	16-4-66	15-4-67	M/s. Modi Gas and Chemicals, Modinagar, Distt. Meerut.	Stearic acid, technical.	IS : 1675-1960 Specification for stearic acid, technical.
13	CM/L-403 2-4-1962	.	16-4-66	15-4-67	The Hindustan Mineral Products Co private Ltd, Plot No. 27, Manganese Depot, Sewri, Bombay-15 having their head office at 111 Industrial Area, Sion, Bombay-22.	BHC dusting powders .	IS : 561-1962 Specification for BHC dusting powders second revision.
14	CM/L-404 26-4-1962	.	1-5-66	30-4-67	M/s. Bharat Pulverising Mills Pvt. Ltd., 38-A, Sayani Road, Bombay-28.	Aldrin emulsifiable concentrates	IS : 1307-1958 Specification for aldrin emulsifiable concentrates.
15	CM/L-406 25-4-1962	.	1-5-66	30-4-67	The Ganges Plywood Mfg. Co. Private Ltd., 35, Dent Mission Road, Calcutta-23.	Tea-chest plywood panels.	IS : 10-1953 Specification for plywood tea-chest (revised).
16	CM/L-517 22-3-1963	.	16-4-66	15-4-67	M/s. Yawalkar Insecticides & Chemicals, Factory Shed No. 20, Industrial Estate, Kamptee Road, Nagpur-4, having their office at Bhagwaghār Layout, Dharampeth, Nagpur-1.	BHC dusting powders .	IS : 561-1962 Specification for BHC dusting powder (second revision).
17	CM/L-522 27-3-1963	.	1-4-66	30-6-66	M/s. Standard Industrial and Tea-chests plywood panels Commercial Corporation Ltd., 24 Chittaranjan Avenue, Calcutta-12 (Factory at 20, Harish Neogy Road, Calcutta-4 under the style of M/s. Standard Laminations).	plywood tea-chests	IS : 10-1953 Specification for plywood tea-chests (revised).

18	CM/L-524 27-3-1963.	.	.	16-4-66	15-4-67	The Ganesh Flour Mills Company Ltd., 4, Kalpi Road, Fazalganj, Kanpur.	18-litre square tins.	IS : 916-1958 Specification for 18 litre square tins.
19	CM/L-525 28-3-1963.	.	.	16-4-66	15-4-67	M/s. Weights and Measures Syndicate, 76/2, Ichapur Road, Howrah.	AC capacitor start electric motors single phase (1/6 HP to 1 HP) and three-phase ($\frac{1}{3}$ HP).	IS : 996-1959 Specification for small AC and universal electric motors with class 'A' insulation.
20	CM/L-643 9-3-1964.	.	.	16-4-66	15-4-67	M/s. Venus Trading Co., Un-disherry, Anand (Gujarat State)	Lock stoppers for butyrometers used for the determination of fat by gerber method.	IS : 1223-1959 Specification apparatus for the determination of fat in whole milk, evaporated (unsweetened) milk, separated milk, skim milk, butter milk and cream by the gerber method.
21	CM/L-644 11-3-1964.	.	.	16-4-66	15-4-67	M/s. Lachhminarain Madanlal, No. 2 Haren Mukherjee Road, Belur, Howrah having their office at 46, Strand Road, Calcutta-7.	Wrought aluminium utensils, grade SIC.	IS : 21-1959 Specification for wrought aluminium and aluminium alloy for utensils (second revision).
22	CM/L-646 19-3-1964.	.	.	16-4-66	15-4-67	M/s. Jagatjit Distilling & Allied Industries Ltd., Jagatjit Nagar, (Railway Station Harni, Northern Railway), Distt. Kapurthala.	Malt extract.	IS : 2704-1963 Specification for malt extract.
23	CM/L-647 20-3-1964.	.	.	16-4-66	15-4-67	M/s. Jaya Shree Textiles and Industries Ltd., Rishra, Distt. Hooghly (West Bengal).	Fire fighting hose, type 2 (fabric reinforced rubber lined woven jacketed).	IS : 636-1962 Specification for fire fighting hose (rubber lined woven jacketed (revised)).
24	CM/L-648 25-3-1964.	.	.	16-4-66	15-4-67	M/s. Indian Explosives Ltd., Gornia, Distt. Hazaribagh, Bihar having their office at ICI House, 34 Chowringhee, Calcutta.	BHC smoke generators.	IS : 1505-1959 Specification for BHC smoke generators.
25	CM/L-649 31-3-1964.	.	.	1-5-66	30-4-67	M/s. Subbiah Foundry, Avanash Road, Pappanaickenpalayam, Coimbatore-1.	Three-phase induction motors up to 3 HP only.	IS : 325-1961 Specification for three-phase induction motors (second revision).
26	CM/L-650 31-3-1964.	.	.	16-4-66	15-4-67	M/s. J. J. Sockey Industries, Sultanwind Town, Amritsar.	Drill chucks.	IS : 2243-1962 Specification for drill chucks.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	
27	CM/L-654 28-4-1964.	.	1-5-66	30-4-67	M/s. Sree Venkateswara Minerals (Private) Ltd., 3 Elaiya Mudali Street, Tondiarpet, Madras-21 having their registered office at 337-Thembu Chetty Street, Madras-1.	BHC dusting powders.	IS : 561-1962 Specification for BHC dusting powders (second revision).
28	CM/L-1044 26-3-1965.	.	16-4-66	15-4-67	M/s. Shibu Metal Works, Subzi Mandi, Jagadhri (Punjab).	Wrought aluminium utensils, grade SIC.	IS : 21-1958 Specification for wrought aluminium and aluminium alloy for utensils (second revision).
29	CM/L-1046 29-3-1965.	.	16-4-66	15-4-67	M/s. Optimohar Industries Private Ltd., Harichand Textile Mill's Compound, Vikhroli, Bombay-79.	Blow lamps.	IS : 1899-1961 Specification for blow lamps.
30	CM/L-1047 29-3-1965.	.	16-4-66	15-4-67	M/s. Bagbross, Delhi Road, Sonepat (Near Delhi).	Cast iron surface plates grade I up to 400 x 400 mm size only.	IS : 2285 -1963 Specification for cast iron surface plates.
31	CM/L-1048 29-3-1965.	.	16-4-66	15-4-67	M/s. Dhanpat Mal Jawala Das Feed Mills, 33, Najafgarh Industrial Area, New Delhi-15 (Factory under the style of Nandi Provender Mills).	Balanced feed mixtures for cattle.	IS : 2052-1962 Specification for balanced feed mixtures for cattle.
32	CM/L-1050 31-3-1965.	.	16-4-66	15-4-67	M/s. Kashmira Ceramic Products Private Ltd., G. B. Road, Vill. Mira, Borivali, Bombay-66.	Salt-glazed stoneware pipes and fittings of diameter 100 mm, 150 mm, 200 mm and 300 mm Brand name 'KASHIMIRA'.	IS : 651-1962 Specification for salt-glazed stoneware pipes and fittings (revised).
33	CM/L-1051 7-4-1965.	.	1-5-66	30-4-67	M/s. Bharat Pulverising Mills Pvt. Ltd., 38-A, Sayani Road, Bombay-28.	Malathion emulsifiable concentrates.	IS : 2567-1963 Specification for malathion emulsifiable concentrates.
34	CM/L-1055 20-4-1965	.	1-5-66	30-4-67	M/s. Indian Mineral Industries Ltd., Trenching Ground, Approach Road, Agarpatta, 24 Parganas having their Registered Office at 22/1, Dum-Dum Road, Calcutta-2.	BHC dusting powders.	IS : 561-1962 Specification for BHC dusting powders (second revision).

35	CM/L-1058 22-4-1965	1-5-66	30-4-67	M/s. Ramam Foodstuff Supply Co., 109/4, Ettayapuram Road, Tuticorin (Madras State)	Roasted chicory powder, high aqueous extract grade.	IS : 612-1962 Specification for roasted chicory powder.
36	CM/L-1059 22-4-1965	1-5-66	30-4-67	M/s. Krishna Steel Industries Pvt. Ltd., Vaswani Mansions, 120, Dinshaw Vachha Road, Bombay-1.	Structural steel (high tensile)	IS : 961-1962 Specification for structural steel (high tensile) (revised).
37	CM/L-1060 22-4-1961	1-5-66	30-4-67	M/s. Krishna Steel Industries Pvt. Ltd., Vaswani Mansions, 120, Dirshaw Vachha Road, Bombay-1.	Structural steel (fusion welding quality).	IS : 2062-1962 Specification for structural steel (fusion welding quality).
38	CM/L-1061 22-4-1965.	1-5-66	30-4-67	M/s. Lawkim Limited, Chitalsar, Manpada, Ghodbunder Road, Thana having their Regd. Office at 16, Horniman Circle, Bombay-1.	Small AC electric motors with class 'A' insulation single phase, capacitor start.	IS : 996-1959 Specification for small AC and universal electric motors with class 'A' insulation.

[No. MD/33: 16/A]

New Delhi, the 16th May 1966

S.O. 1553.—In licence No. CM/L-561, dated 11th July, 1963, held by M/s. Lloyd Bitumen Products Private Ltd., Calcutta the details of which are published under S.O. 2666 in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 28th August, 1965, the list of articles has been revised as under with effect from 15th March, 1966.

Bitumen Felts for Waterproofing and Damp-Proofing, Type 3 Grades 1 and 2; and Type 2 Grade 2.

[No. MD/33:16/A.]

S.O. 1554.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Indian Standards Institution hereby notifies that the Standard Mark, design of which together with the verbal description of the design and the title of the relevant Indian Standard is given in the Schedule hereto annexed, has been specified.

This Standard Mark, for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952, and the rules and regulations framed thereunder, shall come into force with effect from 7th May, 1966.

THE SCHEDULE

Sl. No.	Design of the Standard Product/Class of Mark	Products to which applicable	No. & Title of Relevant Indian Standard	Verbal description of the design of the Standard Mark
(1)	(2)	(3)	(4)	(5)
I	IS : 2083	Flashlights	IS: 2083-1962 Specification of flashlights.	The monogram of the Indian Standards Institution consisting of letters ISI, drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being superscribed on the top of the monogram as indicated in the design.

[No. MD/17:2]

S.O. 1555.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the marking fee per unit for flashlights, details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 7th May 1966.

THE SCHEDULE

Sl. No.	Product/Class Products	No. and title of relevant Indian Standard	Unit	Marking Fee per Unit
(1)	(2)	(3)	(4)	(5)
I	Flashlights	IS: 2083-1962 Specification for flashlights.	One piece	1 paisa per unit for the first 250 000 units or less; 0.5 paisa per unit for the 25000 Ist unit and above.

[No. MD/18:2.]

D. V. KARMARKAR,
Dy. Director General (Marks)

**MINISTRY OF FOOD, AGRICULTURE COMMUNITY DEVELOPMENT
& COOPERATION**

(Department of Agriculture)

New Delhi, the 10th May 1966

S.O. 1556.—In exercise of the powers conferred by sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub-rule(1) of rule 24, read with rule 33, of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby makes the following further amendments in the notification of the Government of India in the late Ministry of Agriculture No. S.R.O. 634-A dated the 28th February, 1957, namely :—

In the Schedule to the said notification,—(i) In Part I—General Central Service, Class III, under the sub-heading ‘Central Mechanised Farm, Suratgarh,’ for the existing entries in columns 2, 3, 4 and 5 against the entry ‘All posts’ in column 1, the following entries shall respectively be substituted, namely :—

2	3	4	5
“Director, Central Mechanised Farm, Suratgarh.”	Director, Central Mechanised Farm, Suratgarh	All	Director General of State Farms.”

(ii) In Part II—General Central Service, Class IV,—under the sub-heading ‘Central Mechanised Farm, Suratgarh’, for the entries in columns 2, 3, 4 and 5 against the entry ‘All Posts’ in column 1, the following entries shall respectively be substituted namely,:—

2	3	4	
“Director, Central Mechanised Farm, Suratgarh.”	Director, Central Mechanised Farm, Suratgarh	All	Director General State Farms.”

[No. 8-34/65-F.R.]
A. C. JAIN
Under Secy.

MINISTRY OF IRON AND STEEL

CORRIGENDUM

New Delhi, the 19th May 1966

S.O. 1557/ESS.COMM/IRON AND STEEL.—In the schedule to the Notification No. S.O. 32/ESS.COMM./IRON AND STEEL-2A/I, dated 23rd December, 1965, published in Part II, Section 3(ii) of the Gazette of India, dated the 1st January, 1966, after Sl. No. 8 please read:—

For “9. Defective materials of any of the above categories.”

Read “9. Tinplates”.

10. Defective materials of any of the above categories.

[No. SC(I)-1(6)/65.]
R. K. KATHPALIA, Under Secy.

MINISTRY OF HEALTH AND FAMILY PLANNING

New Delhi, the 18th May 1966

S.O. 1558.—In exercise of the powers conferred by clause (p) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (15 of 1908), the Central Government hereby makes the following rules further to amend the Indian Port Health Rules,

1955, the same having been previously published as required by sub-section (2) of section 6 of the said Act, namely:—

Amendments

1 These Rules may be called the Indian Port Health (Amendment) Rules, 1966.

2. In the Indian Port Health Rules, 1955,—

(i) after rule 19, the following rule shall be inserted, namely:—

Special provision relating to ships arriving in an area where malaria or other malaria or other mosquito-borne disease is occurring, etc.

"19A. (1) Any ship arriving in an area where malaria or other mosquito-borne disease could develop from imported vectors may be disinfected on such arrival, if the ship was not disinfected at a previous port or where the ship was disinfected at a previous port, the health officer is not satisfied with such disinfection or if there are live mosquitoes on board.

(2) The provisions of this rule shall be in addition to, and not in derogation of, the provisions of the other rules."

(ii) after rule 54, the following rule shall be inserted, namely:—

Special provisions relating to ships leaving any area where transmission of malaria or other mosquito-borne disease is occurring, etc.

"54 A. Every ship leaving a port situated in an area where transmission of malaria or other mosquito borne disease is occurring or where insecticide resistant mosquito vectors of disease are present shall be disinfected under the supervision of the health officer as near as possible to the time of its departure but in sufficient time to avoid delay in such departure."

(iii) In rule 55, for the words and figures "rules 50 to 54" the words, figures and letter "rules 50 to 54A", shall be substituted ;

(iv) in rule 57, in clause (ii) of the Note below sub-rule (2), after the word "Cochine", the word "Mormugao", shall be inserted ;

(v) for Appendix 2, the following Appendix shall be substituted namely —

APPENDIX 2

[See rules 2 (20), 28 (2), 31].

INTERNATIONAL CERTIFICATE OF VACCINATION OR REVACCINATION AGAINST YELLOW FEVER

CERTIFICAT INTERNATIONAL DE VACCINATION OU DE REVACCINATION CONTRE LA FIEVRE JAUNE

This is to certify that () _____ date of birth ()
Sex () _____ Je soussigne (e) certifie que () _____ le (e) _____
 (c) _____ sexe ().

Whose signature follows ()
 dont la signature suit

has on the indicated been vaccinated or revaccinated against yellow fever.
 a ete vaccine (e) contre la fievre jaune la date indiquee.

Date	Signature and professional status of vaccinator	Origin and batch no. of vaccine	Official stamp of vaccinating centre
	Signature et qualite professionnelle du vaccinateur	Origine du vaccin employe du lot	Cachet official due centre de vaccination
I			
2			
3.			3
4			4

This certificate is valid only if the vaccine used has been approved by the World Health Organisation and if the vaccinating centre has been designated by the health administration for the territory in which that centre is situated.

The validity of this certificate shall extend for a period of ten years, beginning ten days after the date of vaccination or, in the event of a revaccination within such period of ten years, from the date of that revaccination.

Any amendment of this certificate, or erasure, or failure to complete any part of it, may render it invalid.

Ce certificat n'est valable que si le vaccin employé a été approuvé par l'Organisation mondiale de la Santé et si le centre de vaccination a été habilité par l'administration sanitaire du territoire dans lequel ce centre est situé.

La validité de ce certificat couvre une période de dix ans commençant dix jours après la date de la vaccination ou, dans le cas d'une revaccination au cours de cette période de dix ans, le jour de cette revaccination.

Toute correction ou rature sur ce certificat ou l'omission d'une quelconque des mentions qu'il comporte peut affecter sa validité."

(vi) for Appendix 3, the following Appendix shall be substituted, namely :—

APPENDIX 3

[See rules 2 (20), 25, 27]

INTERNATIONAL CERTIFICATE OF VACCINATION OR REVACCINATION AGAINST CHOLERA

CERTIFICAT INTERNATIONAL DE VACCINATION OU DE REVACCINATION CONTRE LE CHOLERA

This is to certify that

Je soussigne (e) _____ date of birth _____ sex _____
certifie que _____ (e) le _____ sexe _____

whose signature follows
dont la signature suit

has on the date indicated been vaccinated or re-vaccinated against cholera.

a été vacciné (e) ou revacciné (e) contre la cholera la date indiquée.

Date	Signature and professional status of vaccinator Signature et qualité professionnelle du vaccinateur	Approved stamps Cachet d'authentification
I		I
2.		2
3.	3	4
4.		

The validity of this certificate shall extend for a period of six months, beginning six days after the first injection of the vaccine or in the event of a revaccination within such period of six months, on the date of that revaccination.

The approved stamp mentioned above shall be in a form prescribed by the health administration of the territory in which the vaccination is performed.

Any amendment of this certificate, or erasure, or failure to complete any part of it, may render it invalid.

La validité de ce certificat couvre une période de dix mois commençant six jours après la première injection du vaccin ou, dans le cas d'une revaccination au cours de cette période de six mois, le jour de cette revaccination.

Le cachet d'authentification doit étre conforme au modèle prescrit par l'a administration sanitaire du territoire ou la vaccination est effectuée.

Toute correction ou rature sur le certificat ou l'omission d'une quelconque des mentions qu'il comporte peut affecter sa validité." ;

(vii) for Appendix 4, the following Appendix shall be substituted, with effect from the first day of January, 1967, namely :—

APPENDIX 4

[See rules 2 (20), 36, 38 and explanation thereunder]

INTERNATIONAL CERTIFICATE OF VACCINATION OR REVACCINATION AGAINST SMALLPOX.

CERTIFICAT INTERNATIONAL DE VACCINATION OU DE REVACCINATION CONTRE LA VARIOLE

This is to certify that _____ date of birth _____ sex _____
 Je soussigne (e) certifie que _____ ne(e)le _____ sexe _____
 whose signature follows _____
 dont la signature suit _____

has on the date indicated been vaccinated or revaccinated against smallpox with a freeze-dried or liquid vaccine certified to fulfil the recommended requirements of the World Health Organisation a etc vaccine (e) contre la variole à la date indiquée, ci-dessous avec un vaccin lyophilisé ou liquide certifié conforme aux normes recommandées par l'Organisation mondiale de la Santé.

Date	Show by "x" whether Indiquer par "x" s'il s'agit de :	Signature and professional status of vaccinator Signature et titre du vaccinateur	Origin and batch No. of vaccine Origine due vaccin et numero du lot	Approved stamp Cachet d'authentification	a	b
a	Primary vaccination performed primo vaccination effectuée				a	b
i					i	i
<hr/>		<hr/>		<hr/>		<hr/>
b	Read as successful Prise Unsuccessful Pas de prise					
<hr/>		<hr/>		<hr/>		<hr/>
2	Revaccination				2	3
3	Revaccination					

The validity of this certificate shall extend for a period of three years, beginning eight days after the date of successful primary vaccination or, in the event of a revaccination, on the date of that revaccination.

The approved stamp mentioned above shall be in a form prescribed by the health administration of the territory in which the vaccination is performed.

Any amendment of this certificate, or erasure, or failure to complete any part of it, may render it invalid.

La validité de ce certificat couvre une période de trois ans commençant huit jours après la date de la primovaccination effectuée avec succès (prise) ou, dans le cas d'une revaccination, le jour de cette revaccination.

Le cachet d'authentification doit étre conforme au modèle prescrit par l'administration sanitaire du territoire ou la vaccination est effectuée.

Toute correction ou rature sur le certificat ou l'omission d'une quelconque des mentions qu'il comporte peut affecter sa validité.

[No. F. 22-1/65-IH.]

AMAR NATH VARMA, Under Secretary.

ORDER

New Delhi, the 16th May 1966

S.O. 1559.—Whereas the Government of India in the Ministry of Health, has by notification No. 16-19/63-MI/MPT, dated the 4th June, 1964, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "M.D." (Stanford University, California, U.S.A.) for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby specifies the period of two years with effect from 1st October, 1965 or so long as Dr. Carl Francois Von Essan who possesses the said qualification, continues to work in the Christian Medical College, Vellore, to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Carl Francois Von Essan shall be limited, provided that during this period he continues to be enrolled as a medical practitioner in accordance with the law regulating the registration of medical practitioner in his country.

[No. F. 19-4/66-MPT.]

K. M. L. GUPTA, Under Secy.

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(Department of Labour and Employment)

New Delhi, the 18th May 1966

S.O. 1560.—In exercise of the powers conferred by section 4 of the Iron Ore Mines Labour Welfare Cess Act, 1961 (58 of 1961) read with sub-rule (3) of rule 3 of the Iron Ore Mines Welfare Cess Rules, 1963, the Central Government hereby appoints Shri J. G. Kumaramangalam, General Manager, National Mineral Development Corporation, Bailadala Iron Ore Project, Jagdalpur (Bastar), Madhya Pradesh as a member of the Advisory Committee for the States of Madhya Pradesh and Maharashtra to represent the interests of the Iron Ore Mine Owners of these States and makes the following further amendment in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 326, dated the 18th January, 1964, namely:—

In the said notification, against serial No. 6, for the entry "Shri T. B. Malhotra, General Manager, National Minerals Development Corporation, Bailadala Iron Ore Project Jagdalpur (Bastar) Madhya Pradesh" the entry "Shri J. G. Kumaramangalam, General Manager, National Mineral Development Corporation, Bailadala Iron Ore Project, Jagdalpur (Bastar), Madhya Pradesh," shall be substituted.

[No. 19/8/65-MIII.]

ORDER

New Delhi, the 17th May 1966

S.O. 1561.—Whereas the employers in relation to the Bombay Port Trust, Bombay and their workmen represented by the Bombay Port Trust General Workers Union, Bombay have jointly applied to the Central Government for reference of an industrial dispute that exists between them in respect of the matter set forth in the said application and reproduced in the Schedule hereto annexed, to a Tribunal;

And whereas the Central Government is satisfied that the Bombay Port Trust General Workers Union represents a majority of the workmen;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refer the said dispute for adjudication to the Industrial Tribunal, Bombay constituted under section 7-A of the said Act.

SCHEDULE

Whether under the award of Shri Das Gupta, in Reference No. 5 of 1957, the Motor Engine Drivers Grade II, of 'B' cadre vessels transferred on promotion under the Diesel Training Scheme, as Motor Engine Drivers, Grade I, to the 'C' cadre vessels are entitled to claim seniority over the Motor Engine Drivers, Grade II in 'B' cadre who were senior to them in service, for purposes of appointment to vacancies of Motor Engine Driver, Grade I, in 'B' cadre which arose after the latter had acquired 1st Class Motor Engine Drivers' Certificate of Competency? If so, to what relief are the Motor Engine Drivers transferred on promotion to 'C' cadre entitled?

[No. 28/106/65-LRIV.]

B. K. SAKSENA, Under Secy.

New Delhi, the 18th May 1966

S.O. 1562.—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts the Indian Refineries Ltd., Gauhati, from all the provisions of the said Act, except Chapter VA, for a further period upto and including the 22nd September, 1966.

[No. F. 6(16)/65-HI.]

New Delhi the 19th May 1966

S.O. 1563.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factories in an implemented area, hereby exempts the Kerala Government Transport factories namely, the Boat Building Yard at Perumanur, Ernakulam and the Trichur Transport Garage, Trichur, from the payment of the employers' special contribution leviable under Chapter VA of the said Act for a further period upto and including the 14th March, 1967.

[No. F. 6(18)/66-HI.]

New Delhi, the 20th May 1966

S.O. 1564.—In pursuance of clauses (b) and (e) of sub-paragraph (1) of paragraph 4 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints the Deputy Secretary to the Government of Maharashtra, Finance Department, as a member of the Regional Committee for the State of Maharashtra and makes the following further amendments in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 1286 dated the 27th May, 1961, namely:—

In the said notification.—

(i) for the existing entry against serial number 3, the following entry shall be substituted, namely:—

"3. The Deputy Secretary to the Government of Maharashtra, Finance Department, Bombay";

(ii) for the existing entry against serial number 10, the following entry shall be substituted, namely:—

"10. Shri Gopikisan Piramal,
Morarjee Goculdas Spinning and Weaving Company Limited, Dr Ambedkar Road, Parel, Bombay—12";

(iii) after the entries relating to serial number 11, the following serial numbers and entries shall be inserted, namely:—

"12. Shri Kisan Tulpule, General Secretary, Mill Mazdoor Sabha, Patel Terrace, Patel, Bombay—12.

"13. Shri N. S. Deshpande, C/o Rashtriya Mill Mazdoor Sangh Parel Tank Road, Parel, Bombay. 12"

[No. 12(2)/65-PF.II]

S.O. 1565.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishments mentioned in the schedule annexed hereto, have agreed that the provisions of the Employees' Provident Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishments.

This notification shall be deemed to have come into force on the 1st day of January, 1966.

SCHEDULE

(1) M/s. Traders International Mercantile Agency (Private) Ltd., 15, Shakespeare Sarani, Calcutta—16.

(2) M/s. N. B. Dutt & Company, 15, Clive Row, Calcutta.

[No. 8(7)/66-PF.II]

S.O. 1566. In pursuance of sub-section (2) of Section 9 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948) and in supersession of the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 1106 dated the 22nd March, 1966, the Central Government hereby specifies Shri P. Chandra, Coal Mines Provident Fund Commissioner, Dhanbad as the authority who may sanction the making of a report of the facts constituting an offence punishable under sub-section (1) of section 9 of the said Act.

2. This notification shall come into force on the 1st May, 1966.

[No. 6(123)/66-P.F.I (iii).]

S. O. 1567.—In exercise of the powers conferred by sub-section (1) of Section 10 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948) and in supersession of the notification of the Government of India in the late Department of Social Security No. S. O. 3002 dated the 17th September, 1965, the Central Government hereby appoints the following officers to be Inspectors for the purposes of the Coal Mines Provident Fund Scheme, Andhra Pradesh Coal Mines Provident Fund Scheme, Rajasthan Coal Mines Provident Fund Scheme, Coal Mines Bonus Scheme, Andhra Pradesh Coal Mines Bonus Scheme, Rajasthan Coal Mines Bonus Scheme and Assam Coal Mines Bonus Scheme and direct that they shall, in relation to coal mines, exercise the powers and perform the functions of Inspectors, under the said Act in the States of West Bengal, Bihar, Madhya Pradesh, Orissa, Maharashtra, Andhra Pradesh, Rajasthan, Assam and Nagaland, namely :—

1. Shri P. Chandra	Coal Mines Provident Fund Commissioner
2. Shri S. D. Prasad	Officer-on-Special Duty.
3. Shri R. Kumar	
4. Shri O. P. Sharma	Regional Commissioners, Coal Mines Provident Fund.
5. Shri S. A. Moiz	
6. Shri B. K. Sinha	
7. Shri R. K. Verma	Assistant Commissioners, Coal Mines Provident Fund.
8. Shri A. B. Prasad	
9. Shri S. P. Sharma	Assistant Commissioner (Accounts), Coal Mines Provident Fund.
10. Shri N. G. Nandi	
11. Shri D.C. Gupta.	
12. Shri N.C. Bhattacharjee	
13. Shri L.P. Sinha	
14. Shri Laxmi Chandar	
15. Shri B.R. Uppal	
16. Shri P.N. Kacker.	
17. Shri K. M. Burman	
18. Shri P. K. Bhattacharjee	Coal Mines Provident Fund Inspectors.
19. Shri S. K. Saxena	
20. Shri O.P. Agarwal	
21. Shri M. K. Sinha	
22. Shri R. K. Rajbanshi	
23. Shri M. M. Kundu	
24. Shri G. R. Bharti	

[No. 6(123)/66-PFI(iv).]

S.O. 1568.—In exercise of the powers conferred by sub-section (1) of section 3C of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby appoints Shri P. Chandra as the Coal Mines Provident Fund Commissioner, with effect from the 1st May, 1966 vice Shri P. D. Gaiha.

[No. 6(123)/66-P.F. (i).]

S.O. 1569.—In exercise of the powers conferred by sub-section (1) of section 3A of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (47 of 1948) read with section 14 of the Coal Mines Provident Fund and Bonus Schemes (Amendment) Act, 1965 (45 of 1965) the Central Government hereby appoints Shri P. Chandra, Coal Mines Provident Fund Commissioner, to the Board to Trustees and makes the following further amendment in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 2370, dated the 23rd September 1961, namely:—

In the said notification,—

In item 7, for the entries "Shri P. D. Gaiha", the entries "Shri P. Chandra" shall be substituted.

2. This notification shall come into force on the 1st May, 1966.

[No. 6(123)66-PF.II(ii).]

CORRIGENDA

New Delhi, the 19th May 1966

S.O. 1570.—In the notification of the Government of India in the late Department of Social Security No. S.O. 15, dated the 29th December, 1965, and published in the Gazette of India, Part II, section 3, sub-section (2), at pages 99 and 100.—

at pages 99 and 100, in lines 10 and 5 respectively,

for "1964", read "1963".

[No. F. 6(80)/65-HI.]

S.O. 1571.—In the notification of the Government of India in the late Department of Social Security No. S.O. 93, dated the 28th December, 1965 and published in the Gazette of India, Part II, section 3, sub-section (2), at page 99—

at page 99, in lines 10 and 17,

for "6(88)/65-HI", read "6(88)/63-HI".

[No. F. 6(80)/65-HI.]

DALJIT SINGH, Under Secy.

New Delhi, the 20th May 1966

S.O. 1572.—pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the North Damuda Colliery, Post Office Nudkhurkee, District Dhanbad and their workmen, whih was received by the Central Government on the 16th May, 1966.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, AT DHANBAD

In the matter of a reference under Section 10(i)(d) of the Industrial Disputes Act, 1947.

REFERENCE NO. 15 OF 1964

PARTIES:

Employers in relation to the North Damuda Colliery P.O. Nudkhurkee,
Dist. Dhanbad.

AND

Their Workmen.

PRESENT:

Shri Raj Kishore Prasad, Presiding Officer.
APPEARANCES:

For the Employers.—None.

For the Workmen.—Sarvashri Prasant Burman, General Secretary, Bihar Koila Mazdoor Sabha and Raghu Mahato, the concerned workman in person.

STATE: Bihar

INDUSTRY: Coal.

Dhanbad, dated the 31st March, 1966

AWARD

By its Order No. 2/95/63-LR.II, dated the 21st January, 1964, the Government of India, Ministry of Labour & Employment, referred under Section 10(1)(d) of the Industrial Disputes Act, 1947, for adjudication to this Tribunal, an industrial dispute existing between the employers in relation to the North Damuda Colliery, P.O. Nudkhurkee, District Dhanbad and their workman in respect of the matters specified in the Schedule annexed to the order of reference, which is reproduced below:

SCHEDULE

"Whether the action of the management of North Damuda Colliery (Hazaribagh) Coal Syndicate (Private) Limited, Post Office Nudkhurkee (Dhanbad) in terminating the services of Shri Raghu Mahato, Fireman, was justified? If not, to what relief is the workman entitled?"

2. A written statement on behalf of the concerned workman was filed on 22nd February 1964, by the General Secretary, Bihar Koila Mazdoor Sabha. In the written statement, the case was, to put shortly, that the management disliked the concerned workman because he was a member of his union and used to protest against the irregularities and illegalities committed by the management in course of their administration; that, therefore, the management issued a chargesheet on 16th August 1963 Ext. M alleging disobedience and suspended him from that date; that the workman replied to the chargesheet and denied the charge on the next day on 17th August 1963 Ext. M 2=Ext. W 5; that the management fixed 28th August 1963 for the enquiry but when the workman appeared at the enquiry no enquiry was held; that the management did not allow the workman to resume work although he made an application on 30th September 1963 Ext. W 1, nor did the management issue any dismissal letter against him; that, therefore the dismissal of the concerned workman was unlawful, unjustified and out of grudge and the charge of misconduct was false and baseless.

3. The management also on 8th April 1965 submitted their written statement in which their case was that the concerned workman, Shri Raghu Mahato, before the end of his shift left the boiler unattended and refused to work even when called by the Hard Coke Bhatta Incharge, with the result that the coal charged burnt out due to the negligence of the concerned workman; that for the above offence a chargesheet dated 16th August 1963 was issued to the concerned workman and when no reply was received from him a reminder was sent to him on 22nd August 1963 and thereafter a reply to the chargesheet was received on 23rd August 1963 in which he denied the charge; that, thereafter, the departmental enquiry was held on 28th August 1963 at which the concerned workman was to attend but he did not turn up although sent for and at the said departmental enquiry the misconduct mentioned in the chargesheet was satisfactorily established; that the management by letter dated 21st September 1963 asked the concerned workman to report by 28th September 1963, failing which his services were to remain terminated but inspite of that letter the concerned workman did not report on 28th September 1963 or on any date at all thereafter and thus he voluntarily abandoned his appointment; that, therefore,

his service automatically stood terminated and as such he is not entitled to claim reinstatement or any relief at all.

4. When the case was taken up on 30th March 1966, Shri Prasanta Burman, General Secretary, Bihar Koyal Mazdoor Sabha, appeared for the concerned workman, but, strangely enough inspite of service of registered notice of the date of hearing of the case on the Manager on 28th February 1966 neither the Manager nor any representative of the management appeared at the hearing before the Tribunal. The Tribunal waited for an hour, but when no one appeared for the management, the case was taken up *ex parte*.

5. The documents filed by the union, on behalf of the concerned workman, were marked Exts. W to W 4 and the document, which was an Annexure to the written statement of the concerned workman, was marked Ext. W 5. Although, as stated earlier, the management did not appear, but I found that the management along with their written statement, had filed copies of the enquiry papers and not the original enquiry papers. I, therefore, marked the copies of the enquiry papers, which were Annexures 1 to 5 of the written statement of the management, as Exts. M to M 7. It may be mentioned that at the alleged domestic enquiry which I will deal with presently in detail, Shri Jyotindra Nath Roy was alleged to have been examined and his statement is Ext. M 4. Likewise, Shri Bishnu Charan Mahato, Hard Coke Bhatta Incharge was examined and his statement is Ext. M 5. Shri Ram Byas Gope, who was alleged to have been sent to call the concerned workman to attend the enquiry was also examined and his statement is Ext. M 6. The chargesheet dated 16th August 1963 is Ext. M; the letter sent on 22nd August 1963 to the concerned workman reminding him to file his reply is Ext. M 1; his reply dated 17th August 1963 is Ext. M 2, which is the same as Ext. W 5. It may be mentioned here just now that the letter Ext. W 1 was sent on 22nd August 1963 to the workman reminding him to send reply even when the reply of the concerned workman had already been received on 17th August 1963, which has been filed by the management as Annexure III Ext. M 2 to the written statement filed by the management. The enquiry report of Shri Suresh Narayan Sahi, probably dated 28th August 1963, as it bears no date, is Ext. M 3. On 21st September 1963 the Manager of the colliery sent a letter to the concerned workman Ext. M 7 in which it is said "with reference to your letter dated 22nd August 1963", which is on the record and which has not been filed along with the written statement, "You are hereby asked to present yourself in the office on 28th September 1963 at 4 P.M., failing which your service will be terminated without any further reference". The concerned workman was examined as WW 1 as a witness on behalf of himself and the union.

6. The main contention of Shri Burman was that according to the evidence of the concerned workman WW 1, he lived in Taranari, which is three miles away from the colliery and when he got the information about the enquiry, he went to the office of the Company on 28th September 1963 at 3 P.M. and he was there from 3 P.M. to 5 P.M., but no enquiry was held in his presence. The enquiry report Ext. M 3 also shows that the enquiry was conducted in the absence of the concerned workman, but the enquiry report says that Shri Ram Byas Gope, Chaparsi was sent to call the concerned workman and the Chaparsi came back and reported that the concerned workman was unwilling to attend the enquiry, and, therefore, he started the enquiry at 4-30 P.M., although he was to conduct the enquiry at 4 P.M. Shri Burman submitted that this statement is false, because it was impossible for Shri Ram Byas Gope, whose statement is Ext. M 6, to go three miles to the village of the concerned workman and then return another three miles and thus cover six miles within half an hour and as such the report is false when it says that Shri Ram Byas Gope was sent to call the concerned workman, but he refused to attend the enquiry, whereas, as a matter of fact Shri Ram Byas Gope, Chaparsi, never went to call him at all. This contention *prima facie* appears to have some force. This story appears to have been introduced to explain why the alleged enquiry was held in the absence of the workman according to the management, although according to the workman no enquiry was held at all.

7. The most serious objection taken by Shri Burman was that the alleged statements alleged to have been record of Shri Jyotindra Nath Roy, who is now dead Ext. M 4 and of Shri Bishnu Charan Mahato Ext. M 5 who is no longer there in the colliery, have been got up and fabricated for the purpose of the reference, and, therefore, these two statements as well as the statement of

Shri Ram Byas Gope, Chaprasi, Ext. M 6 do not bear the signature of these three dependents nor there appears thereon the signature of the Enquiry Officer, who is also no longer there and that is because no enquiry was held at all into the said chargesheet. Shri Burman said that if the original enquiry papers would have been produced, these facts would have been proved to the hilt, but knowing the serious defects, which would have revealed the fabrication of the management, the management deliberately absented themselves at the hearing of the reference to avoid dictation of their fabrication. There is much force in this objection also. There is no reason to disbelieve the evidence on oath of the workman WW 1 that he went to the office of the company for the enquiry and was there from 3 P.M. to 5 P.M. but no enquiry was held in his presence.

8. It is also surprising as to why the explanation of the workman was shown as "not received", although the said explanation is filed by the management itself along with their written statement and has been marked Exts. M 2 on behalf of the management and Ext. W 2 on behalf of the workman. That also shows that the story that a remainder had to be sent on 22.8.63 Ext. M 1 to the concerned workman to file the reply is also an afterthought and a got up story. The further case of the management that it received the reply to the chargesheet on 23.8.63 is also not true because there is nothing to support it. The whole thing from the beginning to the end, in my opinion, is very suspicious and it cannot be said that there was enquiry at all, much less in accordance with law and principles of natural justice, when the enquiry papers Ext. M 4, M 5 and M 6 do not bear the signatures of the deponents; the signatures or thumb impressions of the concerned workman and the signature of the Enquiry Officer, Shri Suresh Narain Shahi, whose enquiry report, without date, is Ext. M 3 Exts. M 4 to M 6 do not bear any date also. In the Enquiry Report Ext. M 3 the Enquiry Officer says that he took down the statements of Shri J. N. Roy, Ext. M 4 and of Shri Bishnu Charan Mahato, Ext. M 5, but the copies of these statements Ext. M 4 and M 5 do not bear the signatures of either of these two deponents or of the Enquiry Officer or any date. The Enquiry Report Ext. M 3 does not say that the Enquiry Officer also examined Shri Ram Vyay Gope, Chaprasi—Ext. M 6. Moreover Ext. M 6 is not signed or thumb impressioned by the deponent or signed by the Enquiry Officer.

9. For these reasons, I, therefore, hold that no enquiry was held at all, and even if an *ex parte* enquiry was held, the enquiry was not fair and proper and the principles of natural justice were violated and therefore, in law as well as in fact there was no enquiry at all, and, therefore, the entire story of the management is an afterthought and is rejected.

10. The concerned workman was never given any letter of dismissal. On 16.8.63 when the chargesheet Ext. M dated 16.8.63 was given to the workman, in that very chargesheet it was stated that "*you are suspended pending enquiry*". Thereafter, no further order was issued saying that your services are dispensed with. The letter dated 28.9.63 Ext. M 7 by the Manager to the concerned workman asking him to present himself during office hours on 28.9.63, failing which his services will be terminated without any further reference, cannot be called a letter of dismissal at all, for the simple reason that the Manager is not the appointing authority or the dismissing authority. For these reasons the concerned workman was never dismissed at all, and, therefore, he continued to be under suspension as he was pending enquiry which and his alleged automatic termination of service w.e.f. 28.9.63 were both entirely illegal and unjustified.

11. I, therefore, answer the reference in favour of the workman by holding that the action of the management of North Damuda Colliery, (Hazaribagh Coal Syndicate) (private) Limited, P.O. Nukhurkee (Dhanbad) in terminating the services of Shri Raghu Mahato, Fireman, was unjustified and illegal, and, therefore, the concerned workman, Shri Raghu Mahato, is entitled to be reinstated and accordingly his termination of service is set aside and he is reinstated with effect from 16-8-63 to his previous job of Fireman with full back wages and with continuity of service and benefits to which he might be entitled till the date of his reinstatement.

12. The management must give effect to this award within one month from the date this award becomes effective under Section 17A after its publication under section 17 of the Act.

13. This is the award which I make and submit to the Central Government under Section 15 of the Act.

Sd.
Presiding Officer.

[No. 2/95/63-LR.II.]

New Delhi, the 20th May 1966

S.O. 1573.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Khas Joyrampur Colliery of Messrs Khas Joyrampur Colliery Company (Private) Limited, Post Office Jharia, District Dhanbad and their workmen which was received by the Central Government on the 16th May, 1966.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD.

In the matter of a Reference under Section 10(1)(d) of the Industrial Disputes Act, 1947.

REFERENCE No. 204 OF 1965.

PARTIES:

Employers in relation to the Khas Joyrampur Colliery of Messrs Khas Joyrampur Colliery Company Private Limited, P.O. Jharia, District Dhanbad.

AND

Their Workmen.

PRESENT:

Shri Raj Kishore Prasad,—*Presiding Officer.*

APPEARANCES:

For the Employers.—Shri S. S. Mukherjee, Advocate along with Shri S. C. Gour, Welfare Officer.

For the Workmen.—Shri Shankar Bose, Secretary, Colliery Mazdoor Sangh.

STATE: Bihar.

INDUSTRY: Coal.

Dhanbad, dated the 29th March, 1966.

AWARD

By its Order No. 2/110/65-LRIL, dated the 16th December, 1965, the Government of India, Ministry of Labour and Employment, referred under Section 10(1)(d) of the Industrial Disputes Act, 1947, for adjudication to this Tribunal, an industrial dispute existing between the employers in relation to the Khas Joyrampur Colliery of Messrs Khas Joyrampur Colliery Co.,(P) Ltd., P.O. Jharia District Dhanbad and their workmen in respect of the matter specified in the schedule attached to the reference, which is reproduced below:

SCHEDULE

"(1) Whether the management of the Khas Joyrampur Colliery of Messrs Khas Joyrampur Colliery Company Private Limited, Post Office Jharia, District Dhanbad, was justified in discharging Shri Masuriadin Pasli, Miner, from service with effect from the 15th March, 1965?

(2) If not, to what relief is the workman entitled?"

2. The management filed its written statement on 17th January, 1966, in which its case was that the present dispute was an individual dispute but this objection was not pressed, and, therefore, it need not be mentioned in detail.

On merit the case was that the concerned workman was appointed on 6th July, 1964, as a Miner but on 25th February, 1965, while he was employed as a Miner in the Third Shift, he illegally robbed the Sides of East Side Pillar near the Junction of the Second North Level and North Haulage Dip; that, therefore, for this misconduct a chargesheet dated 1st March, 1965, was issued to him to which he submitted his reply; that departmental enquiry was held on 11th March, 1965, in presence of the concerned workman, who was given full opportunity to cross examine and to defend himself; that at the departmental enquiry his misconduct was satisfactorily established and, therefore, he was dismissed by a letter

dated 20th March, 1965, after prior approval of the Agent and, therefore, the dismissal of the concerned workman was justified and as such was not entitled to any relief.

3. On 10th February, 1966, a written statement on behalf of the concerned workman was also filed by the Colliery Mazdoor Sangh in which it was stated that apart from this union there is another rival trade union, which is supported by the employers concerned and due to this trade union rivalry the workmen members of this union are subjected to various kinds of harassment by the employers and accordingly the concerned workman was stopped from his duties with effect from 27th February, 1965, without any notice or without assigning any reason; that when the workman approached the Manager to ascertain the reason for the stoppage from duty he was served with a charge-sheet dated 1st March, 1965; that there-upon the concerned workman submitted his explanation denying the charges; that, thereafter, a perfunctory enquiry was conducted by the management denying natural justice to the workman and as such his discharge was illegal, *mala fide*, motivated with unfair labour practice and in violation of the principle of natural justice and as such it should be set aside.

4. Sarvashri S. S. Mukherjee, Advocate and S. C. Gour, Welfare Officer of the Company, represented the management. Shri Shanker Bose, Secretary, Colliery Mazdoor Sangh, appeared for the union, representing the concerned workman.

Both parties filed documents, which, with mutual consent, were taken in evidence and marked exhibits. The documents filed by the management were marked Exts. M. to M. 10 and those filed by the union were marked Exts. W. to W. 6.

5. The material facts with dates and exhibit numbers are these:—

6th July, 1964.—The concerned workman was first appointed as a Miner.

25th February, 1965.—The concerned workman was employed as a Miner in the Third Shift, when, it was alleged, he robbed the sides of the East side pillar near the junction of the Second North level and North Haulage Dip.

1st March, 1965.—A charge-sheet Ext. M. 1 was issued to the workman.

3rd March, 1965.—The workman submitted his explanation, Ext. W. 1—Ext. W. 2, in which he denied the charge.

11th March, 1965.—The enquiry was held in presence of the workman. Exts. M. 2 to M. 7 are the enquiry papers. The statements of P. Ws. namely Dinanath Singh, complainant, and Mohasin Pasl are Exts. M. 2 and M. 3; the statements of the defence witnesses namely, Ganga Din and Sheonath Khewat are Ext. M. 4 and M. 5 and the statement of the concerned workman is Ext. M. 6.

13th March, 1965.—The enquiry report Ext. M. 7 was submitted by the Enquiry Officer to the Manager holding that the charge was proved against the concerned workman.

15th March, 1965.—The Manager sent a letter Ext. M. 8 to the Agent for approval of the dismissal of the concerned workman, who had been found guilty of misconduct.

15th March, 1965.—The Manager sent a letter Ext. W. 3 to the workman informing that he had been discharged.

16th March, 1965.—The Agent approved the dismissal of the concerned workman Ext. M. 9.

20th March, 1965.—The letter of dismissal Ext. M. 10 was issued to the concerned workman informing him that he was being dismissed with immediate effect.

29th March, 1965.—The Union raised a dispute before the Conciliation Officer regarding the workman by sending a letter Ext. W. 4.

2nd April, 1965.—The Conciliation Officer asked both the parties to present before him on 9th April, 1965.

3rd May, 1965.—The Manager informed the Conciliation Officer by a letter Ext. W. 6 refuting the charge of the union and supporting the dismissal of the workman.

25th September, 1965.—Failure report by the Conciliation Officer.

23rd December, 1965.—Reference received by the Tribunal.

6. The first contention of Shri Shanker Bose, on behalf of the concerned workman, was that it would appear from Ext. W. 3, which is a letter sent on 15th March, 1965, by the management to the concerned workman informing him that the charge has been proved beyond doubt that and as he was a temporary worker he was discharged and he may collect his dues from the Pay Office, and, therefore, it was submitted that the concerned workman was discharged with effect from 15th March, 1965, and not with effect from 20th March, 1965, and if that was so, then this dismissal was illegal because it was without the approval of the Agent. In my opinion, there is no substance in this objection. It appears that the Manager issued this letter Ext. W. 3 to the concerned workman on 15th March, 1965, informing of the discharge and on the same day he also sent a letter to the Agent for his approval to his dismissal Ext. M. 8, and, later, when the approval of the Agent was received on 16th March, 1965, Ext. M. 9 the concerned workman was issued a letter on 20th March, 1965, Ext. M. 10, informing him that he had been dismissed from service. In these circumstances, in my opinion, the service of the concerned workman must be admitted to have been terminated with effect from 20th March, 1965, after the approval of the Agent had been obtained, and, therefore, this order of dismissal Ext. M. 10 was perfectly valid. The fact that Ext. W. 3 was sent to the workman on 15th March, 1965, by the Manager before he received the sanction of the Agent Ext. M. 9 on 16th March, 1965, is an irregularity, but it does not invalidate on that ground the dismissal of the workman by Ext. M. 10 issued on 20th March, 1965.

It was, however, contended by Shri Bose that Ext. M 9 was an after-thought and it was subsequently filed to remove the lacuna from the record. I, however, do not find anything to substantiate this charge when I find that the Ext. M 9 followed Ext. M 8 and Ext. W 3 and, thereafter, came Ext. M 9 and then Ext. M 10 in the natural course. In these circumstances, the dismissal of the concerned workman was perfectly valid and effective from 20th March 1965.

7. It may be mentioned first that Shri Bose did not challenge the enquiry as being not fair and proper and in accordance with natural justice and he could not possibly do so, because admittedly the enquiry was held in the presence of the concerned workman, and at that enquiry at first the complainant, PW1 Shri Dinanath Singh, whose statement is Ext. M 2, and, thereafter, another prosecution witness PW2, Shri Mohasin Passi, whose statement is Ext. M 3, were examined. It further appears from Ext. M 2 that the concerned workman was asked to cross-examine the complainant Shri Dinanath Singh, but he declined to do so but he gave his own statement Ext. M2(a). Similarly the workman declined to cross-examine also P.W.2, Mohasin Passi, whose statement is Ext. M3. After the examination of these two prosecution witnesses, and the statement Ext. M2(a) of the concerned workman, the statements of his two defence witnesses were recorded, whose statements are Exts. M4 and M5. Thereafter, as will appear from Ext. M 6, the Workman was asked to give his statement but he did not do so and stated that he had nothing further to add to what he had stated earlier—Ext. M2(a).

For these reasons, there is no doubt that the enquiry was fair and proper and in accordance with the principles of natural justice and at the said domestic enquiry the concerned workman was given fullest opportunity to cross-examine the Company's witnesses but he declined to do so and later he was given an opportunity to examine himself and also to examine his witnesses which he did. I, therefore, hold that the enquiry was fair and proper and it does not suffer from any infirmity and as such was not at all invalid.

8. The next submission of Shri Bose, however, was that the finding of the Enquiry Officer that it had been established on the evidence that the concerned workman was responsible for robbing and as such he was guilty of the charge is obviously wrong and perverse, because it is not at all supported by the statements of the two witnesses of the Company, whose statements are Exts. M2 and M3. It is not the function of the Tribunal to sit in appeal over the finding of the

domestic enquiry, and on being asked by the Tribunal Shri Bose did not produce any authority in support of his contention that the Tribunal could appraise the evidence at the domestic enquiry afresh, even when the enquiry was not invalid, to find out if the charge had been proved. On the insistence of Shri Bose and with the implied consent of Shri Mukherjee, however in the interest of justice and to satisfy Shri Bose, I myself read Exts. M2 and M3 in order to find out if the management had been able to prove the charge against the concerned workman. The complainant Shri Dinanath Singh, in PW 1 Ext. M2, stated that on 26th February 1965 the Mining Sirdar of the first shift reported to him that some miners had robbed the sides of East side pillar near the junction of the second North level and North Haulage Dip in his shift when he had employed on 25th February 1965 the concerned workman along with others named by him in the third level faces for more than a week. The complainant further stated that he made enquiry in the night shift from the persons, who were employed in that particular place where the robbing was detected and the concerned workman confessed that he had robbed four to five baskets of coal by mistake. This complainant was not cross examined by the concerned workman, and when asked to do he gave his own statement as will appear from Ext. M2(a) denying the charge and stated that he had not robbed four to five baskets on 26th February, 1965. The next Company's witness PW2 was Mahasin Passi, whose statement is Ext. M3, and he was produced by the complainant Shri Dinanath Singh. PW2 stated that on 28th February 1965 at about mid-night the Mining Sirdar enquired as to who yesterday had robbed and the concerned workman replied that he had robbed yesterday about four to five baskets of coal. He further stated that he had himself seen the concerned workman robbing on 25th February 1965. This witness was also not cross-examined by the workman, but he only said that what he had stated earlier as it will appear from Ext. M2(a) was true and he had nothing further to add. On the statement of these two Company's witnesses, whose statements are Exts. M2 and M3, I do not think there is any doubt that the charge has been proved. P.W. 2 Mahasin Passi is an eye witness and nothing has been suggested to him as to why his evidence should not be accepted and why he should falsely implicate the concerned workman. It is true, as contended by Shri Bose, that the Complainant Shri Dinanath Singh had no personal knowledge as he did not himself see the robbing of the coal, but on enquiry he did learn of it and before him the concerned workman confessed that he had robbed four to five baskets of coal, but he said that he did this by mistake. The concerned workman in his statement Ext. M2(a) stated that he had not robbed on 25th February 1965 and that what he had to say he had stated in his reply Ext. M=Ext. W2 to the charge and that he had nothing further to add. The concerned workman was asked to produce his witnesses and then he produced his two defence witnesses, who were his co-workers, namely, Gangadin Ext. M4 and Sheonath Khewat Ext. M5. His first defence witness Gangadin Ext. M4 stated that the concerned workman replied on 26th February 1965, when the Mining Sirdar asked him and the concerned workman and others, as to who had robbed yesterday coal, that he (workman) had robbed four to five baskets of coal. Workman's Second defence witness, Sheonath Khewat Ext. M5 denied the whole thing and, thereafter, the concerned workman was asked to give his own statement, if any, but he did not give any further statement beyond what he stated before as it will appear from Ext. M2(a). From these enquiry papers and reading Exts. M2, M2(a), M3, M4, M5 and M6 there is, therefore, no doubt that the charge had been proved. If it was a fact, as deposed to by DW 1 Ext. M4 that the concerned workman said that he had robbed about four to five baskets of coal, which meant no robbing from the place of occurrence, it was for the concerned workman to prove this by his own evidence and from the evidence of his defence witnesses. But he failed to do so. The second objection of Shri Bose is over-ruled for the reasons given above. The enquiry report is not at all perverse and against the weight of the evidence but is quite correct, and is supported by the evidence on the record.

9. The reference is, therefore, answered in favour of the management by holding that the management of Khas Joyrampur Colliery of M/s, Khas Joyrampur Colliery Co. (P) Ltd., P.O. Jharia, Dist Dhanbad was justified in discharging Shri Masuriadin Passi, Miner, from service with effect from 20th March 1965, as both sides admitted that 15th March 1965 mentioned in the reference is a mistake for 20th March 1965, which was the real date of termination of service of the concerned workman, and, accordingly, I further hold that the concerned workman is not entitled to any relief.

10. This is the award which I make and submit to the Central Government man is not entitled to any relief.

(Sd.) Presiding Officer.

[No. 2/110/65-LRIL]

New Delhi, the 21st May 1966

S.O. 1574.—In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendments in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 3109, dated the 25th September, 1965, namely:—

In the Table annexed to the said notification, in column 2,—

- (i) against serial No. 8, for the words and brackets "Assistant Labour Commissioner (Training)", the words and brackets "Assistant Labour Commissioner (Training) (Central)" shall be substituted;
- (ii) against serial Nos. 17, 18 to 25, 27 to 29, 31 to 37, 39 to 46 and 48, for the words "Assistant Labour Commissioner", the words and brackets "Assistant Labour Commissioner (Central)" shall be substituted;
- (iii) against serial Nos. 18, 26, 30, 38 and 47, for the words and brackets "Assistant Labour Commissioner (Verification)", the words and brackets "Assistant Labour Commissioner (Verification) (Central)" shall be substituted.

[No. F. 1/14/66-LR-I-1.]

S.O. 1575.—In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 3110, dated the 25th September, 1965, namely:—

In the Table annexed to the said notification, in column 2, for the words "Labour Enforcement Officer" wherever they occur, the words and brackets "Labour Enforcement Officer (Central)" shall be substituted.

[No. F. 1/14/66-LR-I-2.]

S.O. 1576.—In pursuance of sub-section (3) of section 22 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 3111, dated the 25th September, 1965, namely:—

In the Table annexed to the said notification in column 2, for the words "Assistant Labour Commissioner" wherever they occur, the words and brackets "Assistant Labour Commissioner (Central)" shall be substituted.

[No. F. 1/14/66-LR-I-3.]

S.O. 1577.—In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 (14 of 1947), read with the notification of the Government of Andhra Pradesh under article 258A of the Constitution, delegating its powers under the Industrial Disputes Act, 1947, in relation to the disputes between the employers and employees of the Power Houses of the Singareni Collieries Limited, Kothagudium, to the Central Government, the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 3112, dated the 25th September, 1965, namely:—

In the said notification in the entries against item Nos. 7 to 9, for the words "Assistant Labour Commissioner", the words and brackets "Assistant Labour Commissioner (Central)" shall be substituted.

[No. F. 1/14/66-LR-I-4.]

ORDER

New Delhi, the 19th May 1966

S.O. 1578.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Balihari Colliery of Messrs. Balihari Colliery Company (Private) Limited, Post Office Kusunda, District Dhanbad, and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of the Balihari Colliery of Messrs. Balihari Colliery Company (Private) Limited in retrenching 376 workmen detailed below with effect from the 4th April, 1966, was justified and legal? If not, to what relief are these workmen entitled?

Sl. No.	Name of workmen	Father's name	Designation	Date of appointment
1	Sri Jagadish Jha	Digambar	Overman	1954
2	Sri Ramasish Panday	Lalbahan	Do.	1949
3	Sri Saktipada Mandal	Iswarchandra	Mining Sirdar	15-12-1964
4	Sri Doman Orang	Mahu	Do.	29-11-1963
5	Sri Jawahar Mahato	Prabhu	Do.	29-11-1963
6	Sri Rampati Ram	Dudhnath	Do.	5-II-1962
7	Sri Seoprasad Singh	Ramkishun	Do.	27-7-1962
8	Sri S. M. Hossain	Sd. Hossien	Do.	7-5-1962
9	Sri Someswar Panday	Lalu	Do.	1961
10	Sri Deo Kr. Dubey	Ramdeo	Munshi	2-4-1962
11	Sri Bijay Kr. Banerjee	Balaram	Do.	14-10-1960
12	Sri D. J. Meheta	Jaintal	Do.	27-9-1960
13	Sri Surajnath Panday	Ramadhar	Do.	2-10-1960
14	Sri Mundrika Prasad	Dukhan	Do.	27-7-1957
15	Sri Ajit Kr. Banerjee	Baidyanath	Do.	30-6-1956
16	Sri Gangadhar Rana	Pemon	Do.	17-6-1956
17	Sri Ramatar Rout	Misri	Do.	30-6-1954
18	Sri Upendra Rajowari	Debendra	Do.	1952
19	Sri Madho Barhi	Gopal	Timber Mistry	1962
20	Sri Bhola Prasad	Sitaram	Do.	14-11-1961
21	Sri Mahabir Barhi	Burha	Do.	19-II-1960
22	Sri Modi Barhi	Burha	Do.	1957
23	Sri Bhure Gope	Haribhajan	Do.	31-3-1955
24	Sri Fulchand Barhi	Burha	Do.	1955
25	Sri Ramsaran Gope	Bacha	Do.	1955
26	Sri Ramdutt Gope	Bacha	Do.	31-12-1954
27	Sri Ramlal Gope	Jaikram	Do.	31-12-1954
28	Sri Prayag Barhi	Cetu	Do.	17-12-1954
29	Sri Ramu Mian	Dehar Mian	Do.	26-6-1954
30	Sri Ram Kishore Gope	Budhi	Do.	30-I-1954
31	Sri Rajaram Gope	Naran	Timber Mazdur	20-12-1957
32	Sri Ramnaresh Gope	Jagneswar	Do.	21-10-1957
33	Sri Bhimi Chamar	Budhan	Do.	30-6-1957
34	Sri Barhan Bhuiya	Jharo	Do.	30-6-1957
35	Sri Bisram Gope	Budhai	Do.	31-12-1956
36	Sri Janki Hazam	Jitan	Do.	30-3-1956
37	Sri Bali Mian	Guru	Do.	30-9-1955

Sl. No.	Name of workmen	father's name	Designation	Date of appointment
38	Sri Ramlakhan Gope	Pancham	Timber Mistry	30-6-1955
39	Sri Chhotu Mian	Bandhan	Do.	30-3-1955
40	Sri Barhan Hazam	Nanku	Do.	31-12-1954
41	Sri Janki Maharo	Hiro	Do.	24-11-1951
42	Sri Heman Mian	Dillu	Do.	31-12-1953
43	Sri Akbar Mian	Md. Ali	Do.	1951
44	Sri Mohan Singh	Dukha Singh	Line Mistry	1955
45	Sri Gundri Gope	Seonarayan	Do.	30-9-1954
46	Sri Jawahir Mian	Ramjan	Do.	30-6-1954
47	Sri Sambhu Mahato	Guman	Do.	30-9-1950
48	Sri Makra Mahato	Guman	Do.	30-9-1949
49	Sri Lakhia Bauri	Manu	Do.	30-9-1949
50	Sri Manu Mahato	Jagarnath	Do.	30-9-1948
51	Sri Radha Bauri	Kita	Do.	30-6-1948
52	Sri Lankeswar Mahato	Jodhram	Line Mazdur	30-9-1956
53	Sri Gobardhan Mahato	Sambhu	Do.	30-6-1956
54	Sri Faguni Bhuiya	Punit	Trammer Ug.	1959
55	Sri Barho Bhuiya	Punit	Do.	1958
56	Sri Kokil Rajowar	Bhim	Do.	1957
57	Sri Kishun Dusad	Barhan	Do.	1957
58	Sri Ramdhani Bhuiya	Aklu	Do.	1957
59	Sri Bideshi Bhuiya	Gajo	Do.	1957
60	Sri Sraban Das	Misri	Do.	1957
61	Sri Sraman Das	Siba	Do.	1957
62	Sri Ramdhani Bhuiya	Chamari	Do.	1957
63	Sri Jagneswar Dusad	Punit	Do.	1957
64	Sri Sodagar Bhuiya	Danu	Do.	1957
65	Sri Selim Mian	Guman	Do.	1957
66	Sri Garbhu Dusad	Amrit	Do.	1956
67	Sri Kunju Mian	Karu	Do.	1956
68	Sri Ganpat Sao	Gyani	Do.	1956
69	Sri Deolal Dusad	Sukar	Do.	1956
70	Sri Baldeo Bhuiya	Dhanu	Do.	1956
71	Sri Dhaneswar Bhuiya	Maulavi	Do.	1956
72	Sri Baleswar Dusad	Barho	Do.	1956
73	Sri Paramesvar Bhuiya	Bandhan	Do.	1956
74	Sri Jaffar Mian	Junnai Mian	U. G. Trammer	1956
75	Sri Etwari Bhuiya	Buchan Bhuiya	Do.	1950
76	Sri Gobind Bhuiya	Bhatu Bhuiya	Do.	1954
77	Sri Karmeswar Dusad	Kailash Dusad	Do.	1955
78	Sri Akal Bhuiya	Pravag Bhuiya	Do.	1955
79	Sri Raghu Bhuiya	Chamari Bhuiya	Do.	1955
80	Sri Fagu Bhuiya	Chamari Bhuiya	Do.	1955
81	Sri Saudagar Dusad	Brihaspat Dusad	Do.	1955
82	Sri Baramdeo Dusad	Kashit Dusad	Do.	1955
83	Sri Baijnath Dusad	Jitan Dusad	Do.	1955
84	Sri Ramchatar Mahato	Bisheswar Mahato	Do.	1955
85	Sri Girdhari Dusad	Jawahir Dusad	Do.	1954
86	Sri Karu Bhuiya	Bajo Bhuiya	Do.	1954
87	Sri Kivin Bhuiya	Birjoo Bhuiya	Do.	1954
88	Sri Faudi Bhuiya	Chhutu Bhuiya	Do.	1954
89	Sri Gajadhar Barhar	Durian Barhar	Do.	1954
90	Sri Bangali Bhuiya	Puna Bhuiya	Do.	1954
91	Sri Salini Mian	Dukhan Mian	Do.	1954
92	Sri Puna Bhuiya	Budhan Bhuiya	Do.	1954
93	Sri Ram Sabai Bhuiya	Gamar Bhuiya	Do.	1954
94	Sri Ramdhani Dusad	Jiblal Dusadh	Do.	1954
95	Sri Hari Dusad	Bandhan Dusadh	Do.	1954
96	Sri Rasul Mian	Kam Mian	Do.	1954
97	Sri Chhedi Dhobi	Bandhu Dhobi	Do.	1954
98	Sri Mathura Bhuiya	Dharai Bhuiya	Do.	1954
99	Sri Gopi Bhuiya	Lachman Bhuiya	Do.	1954
100	Sri Ramdas Gope	Birodki Gope	Do.	1952
101	Sri Fairu Bhuiya	Jhari Bhuiya	Do.	1952
102	Sri Ramswar Dusad	Raghubar Dusad	Do.	1952
103	Sri Munshi Bhuiya	Alam Bhuiya	Do.	1952

Sl. No.	Name of workmen	Father's name	Designation	Date of appointment
104	Sri Bhola Bhuiya	.	Sri Faudari Bhuiya	U.G. Trammer
105	Sri Scotal Gope	.	Chhaka Gope	Surface Trammer
106	Sri Bhagabati Gope	.	Ahibaran Gope	Do.
107	Sri Ritu Mahato	.	Bhatu Mahato	Do.
108	Sri Jeihan Bhuiya	.	Ramdhani Bhuiya	Do.
109	Sri Jairam Dusad	.	Ramdhani Dusad	Do.
110	Sri Kisuan Bhuiya	.	Sugar Bhuiya	Do.
111	Sri Lakhia Bhuiya	.	Santoki Bhuiya	Do.
112	Sri Raghunath Gope	.	Anup Gope	Do.
113	Sri Shyamal Bhuiya	.	Bandhu Bhuiya	Do.
114	Sri Jugal Gope	.	Ramabatar Gope	Do.
115	Sri Bandwa Bhuiya	.	Ramshahai Bhuiya	Do.
116	Sri Darogi Bhuiya	.	Panchu Bhuiya	Do.
117	Sri Hiram Dusad	.	Madhu Dusad	Do.
118	Sri Jagannath Singh	.	Gurusahai Singh	Do.
119	Sri Mohan Mahato	.	Khedan Mahato	Do.
120	Sri Bhagirat Gope	.	Ferai Gope	Do.
121	Sri Randhu Bhagat	.	Bihari Bhagat	Do.
122	Sri Budhan Bhuiya	.	Meghu Bhuiya	Do.
123	Sri Jago Hazam	.	Rohan Hazam	Do.
124	Sri Dwarka Dusad	.	Dukhan Dusad	Do.
125	Sri Charan Dusad	.	Rupan Dusad	Do.
126	Sri Kupa Bhuiya	.	Dhanu Bhuiya	Do.
127	Sri Bangali Bhuiya	.	Karu Bhuiya	Do.
128	Sri Raindular Bhuiya	.	Meghu Bhuiya	Do.
129	Sri Lakhan Bhagat	.	Bihari Bhagat	Do.
130	Sri Sitaram Gope	.	Gojudhar Gope	Do.
131	Sri Gopal Mahato	.	Chhakka Mahato	Do.
132	Sri Pati Dusad	.	Lakhua Dusad	Do.
133	Sri Gobind Dusad	.	Dasu Dusad	Do.
134	Sri Dukhi Bhuiya	.	Pairag Bhuiya	Do.
135	Sri Kamchshwar Bhuiya	.	Dhaneswar Bhuiya	Do.
136	Sri Chhediram Kaharo	.	Banowari Kahar	Do.
137	Sri Gainu Bhuiya	.	Jhingan Bhuiya	Do.
138	Sri Bataswa Kamin	.	Subhas Rajowar	Do.
139	Sri Sukar Dusad	.	Blikhan Dusad	Do.
140	Sri Rewa Dusad	.	Bhikhan Dusad	Do.
141	Sri Brihaspat Bhuiya	.	Chamari	Do.
142	Sri Suja Mian	.	Jhari Mian	Do.
143	Sri Moni Bhuiya	.	Rewa Bhuiya	Do.
144	Sri Gopan Bhuiya	.	Semai Bhuiya	Do.
145	Sri Siba Bhuiya	.	Fagu Bhuiya	Do.
146	Sri Ramchanora Mahato	.	Raindas Mahato	Do.
147	Sri Ramgati Kumhar	.	Brijmohan Kumhar	Do.
148	Sri Ramasarey Gope	.	Ramsundar Gope	Do.
149	Sri Macho Dusad	.	Jhappar Dusad	Do.
150	Sri Seochand Dusad	.	Ganga Dusad	Do.
151	Sri Mohabir Dusad	.	Nannak Dusad	Do.
152	Sri Kara Bhuiya	.	Gorib Bhuiya	Do.
153	Smt. Sanwa Kamin	.	W/o Longi	Do.
154	Smt. Dhanwa Kamin	.	W/o Ruplal	Do.
155	Smt. Panwa Kamin	.	W/o Saudagar	Do.
156	Sri Kailash Mali	.	Brahmadeo Mali	Onsetter
157	Sri Parikhit Mehta	.	Anibaran Mehta	Do.
158	Sri Saryanaran Tewari	.	Durgaprasad	Do.
159	Sri Andu Orang	.	Bhutan Orang	Do.
160	Sri Kailu Gope	.	Ramabatar Gope	Do.
161	Sri Barho Dusad	.	Panu Dusad	Do.
162	Sri Darbari Dusad	.	Gendu Dusad	Do.
163	Sri Liloo Orang	.	Chhatu Orang	Do.
164	Sri Siba Mahato	.	Moniram	Do.
165	Sri Durtari Mahato	.	Doman Mahato	Do.
166	Sri Girja Routh	.	Rameswar Routh	Banksman
167	Sri Parmananda Sharma	.	Umacharan	Do.
168	Sri Bajnau Tewari	.	Kripanth Tewari	Do.

S.I. No.	Name of workmen	Father's Name	Designation	Date of appointment
169	Sri Kesho Bhuiya	Bhola Bhuiya	Banks man	1956
170	Sri Shayam Sundar Lala	Haripada Lala	Do.	31-12-53
171	Sri Renghu Mahato	Lalu Mahato	Do.	30-3-50
172	Sri Bharat Mahato	Chhatu Mahato	Do.	30-3-50
173	Sri Sonachand Mahato	Daman Mahato	Pump Khalasi	12-9-60
174	Sri Ganesh Mahato	Jadu Mahato	Do.	30-8-60
175	Sri Shashanka Mitra	Rajani Mitra	Do.	1-5-60
176	Sri Gobardhan Mahato	Gobind Mahato	Do.	8-6-60
177	Sri Bhikha Mahato	Rohan Mahato	Do.	25-5-60
178	Sri Jawala Prasad Upadhyaya	Tulshi	Do.	20-12-57
179	Sri Budhan Mahato	Karchan Mahato	Do.	II-12-57
180	Sri Jawahir Singh	Eknath Singh	Do.	30-8-57
181	Sri Tasrul Mia	Khalil Mia	Do.	21-8-57
182	Sri Saukhi Bhagat	Bihgi Bhagat	Do.	30-6-57
183	Sri Chandrika Routh	Chhatu Routh	Do.	30-6-56
184	Sri Sahadeo Mahato	Bhadru Mahato	Do.	30-6-56
185	Sri Bharat Mahato	Suku Mahato	Do.	31-12-55
186	Sri Jageswar Mahato	Do.	Do.	31-12-55
187	Sri P. K. Das	K. S. Das	Do.	31-12-55
188	Sri Nripat Ram	Budhan Ram	Do.	30-9-55
189	Sri Hiralal Orang	Sraban Orang	Do.	31-12-54
190	Sri Matla Mahato	Haradhan	Do.	31-12-54
191	Sri Khalil Mian	Miajan	Do.	30-6-48
192	Sri Mahabir Mahato	Chotu	Do.	3-1-54
193	Sri Dasarath Mahato	Aku	Haulagi Khalasi	31-12-57
194	Sri Ashu Mahato	Aku	Do.	30-5-57
195	Sri Sridhar Sardar	Surendra	Do.	30-6-56
196	Sri Kalicharan Mahato	Do.	Do.	30-6-56
197	Sri Chatu Mahato	Harkhu	Do.	30-12-55
198	Sri Thakuri Bhuiya	Bishuni	Do.	30-9-54
199	Sri Osman Miah	Rejak	Do.	1954
200	Sri Kapoor Miah	Hamir	Do.	1964
201	Sri Khatir Miah	Rejak	Do.	31-12-57
202	Sri Rejha Mahato	Parku	Do.	31-12-50
203	Sri Dukhan Dusadh	Madho	Do.	30-6-50
204	Sri Bandhu Miah	Kanoo	Do.	31-12-48
205	Sri Marjadi Mahato	Durga	Do.	30-9-48
206	Sri Ramlal Kumhar	Brijmohan	Fireman	10-10-61
207	Sri Bhamar Bowri	Shaumbhu	W/E Khalasi	12-10-60
208	Sri Shyamal Rajwar	Bhitian	Do.	10-1-57
209	Sri Sco Murat Gope	Bibari	Do.	30-6-56
210	Sri Tulshi Mahato	Laloo	Do.	30-6-56
211	Sri Banshi Mahato	Gangoo	Do.	1956
212	Sri Balawa Mahato	Chahi	Do.	1951
213	Sri Kesho Mahato	Harkhu	Do.	1950
214	Sri Fagu Mahato	Harriram	Do.	1948
215	Sri S. K. Mitra	A. N. Mitra	Reg. Clerk	5-9-60
216	Sri Sukra Hari	Pokhan	Sweper	11-7-62
217	Srimt. Kalawati Kamin	W/o Haria	Do.	29-7-62
218	Sri Jhari Hari	Radha	Do.	29-7-62
219	Sri Bisheswar Hari	Laloo	Do.	22-4-58
220	Sri Budhon Hari	Gajo	Do.	1957
221	Sri Rishon Hari	Aklo	Do.	31-12-63
222	Srimt. Rohini Hari	W/o Rishon	Do.	31-12-53
223	Sri Robni Hari	Lakhan	Do.	30-8-53
224	Srimati Bhabi Harin	W/o Haria	Do.	30-8-53
225	Sri Sreepati Hari	Ridhu	Do.	1951
226	Sri Haria Hari	Radu	Do.	30-3-56
227	Sri Prabhu Nath	Lalmohan	Night Guard	Do.
228	Sri Rajdeo Singh	Paramanand	Do.	Do.
229	Sri Pairag Gope	Ajodhya	Do.	Do.
230	Sri Sakaldeo Dusadh	Hulash	Do.	Do.
231	Sri Rameswar Singh	Raghbar Singh	Do.	Do.
232	Sri Nandu Mahato	Dukhar	Do.	Do.
233	Sri Harihar Gope	Chhangu	Do.	Do.

Sl. No.	Name of workmen	Father's Name	Designation	Date of appointment
234	Smt. Khari Orangin	W/o Sriban	Wagon Loader	1-1-62
235	Smt. Jimi	Ramoo	Do.	16-11-61
236	Smt. Makri	Dinnu	Do.	17-8-61
237	Smt. Dashi	Jatal	Do.	31-12-57
238	Smt. Jashoda	Nakul	Do.	30-6-57
239	Smt. Felani	Kandu	Do.	11-12-56
240	Smt. Dashi Orangin	W/o Radhu	Do.	30-6-56
241	Smt. Janakwa Bhuiyain	W/o Dukhi	Do.	30-6-56
242	Smt. Sundri Bhuiyain	W/o Deodhari	Do.	30-5-56
243	Smt. Binoti Orangin	W/o Kalpa	Do.	13-4-56
244	Smt. Biroda Orangin	W/o Surjan	Do.	13-3-56
245	Smt. Parbati Bhuiyan	W/o Chaku	Do.	3-5-55
246	Smt. Gorki Bhuiyan	W/o Gopi	Do.	30-5-55
247	Smt. Rani Orangin	W/o Jitan	Do.	4-4-54
248	Smt. Nuni Orangin	W/o Rameswar	Do.	30-9-54
249	Smt. Chandramani Orangin	W/o Kita	Do.	30-9-54
250	Smt. Bashni Orangin	W/o Sonar	Do.	20-6-57
251	Smt. Kamli Orangin	W/o Lal	Do.	1954
252	Smt. Kamli Orangin	W/o Rabi	Do.	1-1-62
253	Smt. Chaitu Orangin	W/o Bhugha	Do.	1-1-62
254	Smt. Upasli Orangin	W/o Dashi	Do.	1-1-62
255	Smt. Dakha Kamin	W/o Doman	Do.	1-1-62
256	Smt. Sukri Kamin	W/o Babulal	Do.	1-1-62
257	Shri Maha-leo Bhuiya	S/o Doman	Do.	1-1-62
258	Shri Lalji Bhuiya	S/o Maugal	Do.	1-1-62
259	Shri Babulal Bhuiya	S/o Mangal	Do.	1-1-62
260	Kumari Achala Orangin	D/o Chaita	Do.	1-1-62
261	Shri Ramprasad Bhuiya	S/o Hari	Do.	1-1-62
262	Kumari Badamia Kamin	D/o Ahal	Do.	1-1-62
263	Shri Jagdish Bhuiya	S/o Rameshel	Do.	1-1-62
264	Shri Jaitmatu Bhuiya	S/o Bihar	Do.	1-1-62
265	Smt. Nuni Orangin	W/o Ghashiram	Do.	24-11-61
266	Smt. Kusum Orangin	W/o Lakshiram	Do.	1954
267	Smt. Kamini Orangin	W/o Ratan	Do.	1954
268	Smt. Faguni Bhuiyain	W/o Raman	Do.	17-6-54
269	Smt. Sagari Orangin	W/o Nakulal	Do.	14-6-54
270	Smt. Somri Orangin	W/o Budhu	Do.	14-6-54
271	Smt. Bhagia Bhuiyain	W/o Kishun	Do.	30-5-54
272	Smt. Subhia Bhuiyain	W/o Karu	Do.	3-5-54
273	Smt. Sabran Manjhi	W/o Hartine	Do.	21-3-54
274	Smt. Saraswati Orangin	W/o Fagu	Do.	30-3-54
275	Smt. Kamli Bhuiyain	W/o Gokul Bhuiya	Shalepicker	30-3-54
276	Smt. Bdu Mahatin	W/o Bano	Do.	1-1-62
277	Smt. Karuna Orangin	W/o Babulal	Do.	18-7-56
278	Smt. Mandal Orangin	W/o Kunu	Do.	16-12-55
279	Smt. Dhani Orangin	W/o Jatal	Do.	30-6-55
280	Kumari Dhanwa Dusdihin	D/o Shankar	Do.	30-6-55
281	Smt. Joshi Orangin	W/o Sankar	Do.	30-6-55
282	Smt. Suga Orangin	Nunn	Do.	31-3-55
283	Sm. Mohini Mahatan	Etwari	Do.	31-12-45
284	Smt. Sugia Bhuiyan	Moti	Do.	30-6-54
285	Smt. Sobni Orangin	Chaitu	Do.	14-6-54
286	Smt. Robni Orangin	Banu	Do.	27-5-54
287	Smt. Sani Mejhian	Ashu	Do.	22-9-54
288	Smt. Dupia Mahatan	Matalu	Do.	31-3-54
289	Smt. Alua Mahatan	Dhanraj	Do.	31-3-54
290	Smt. Rupu Mejhian	Hari	Do.	13-3-54
291	Smt. Kusum Bhuiyani	Chintaman	Do.	1954
292	Smt. Susari Rajwarin	Udai	Do.	27-5-53
293	Smt. Dulia Mahatan	Bhiku	Do.	8-3-52
294	Smt. Faloni Mejhian	Defan	Do.	30-6-54
295	Smt. Sanjhowa Mahatan	Madhu	Do.	1-9-49
296	Smt. Sonia Mahatan	Chatu	Do.	30-9-49
297	Shri Ramsundar Gope	S/o Bacha	Tindel Mazdur	1955

Sl. No.	Name of workmen	Father's Name	Designation	Date of appointment
298	Shri Saikat Ali	S/o Ishak	Electrician	10-9-61
299	Shri Rajendra Pd.	S/o Ramdas	Do.	10-9-60
300	Shri P. K. Chakravertee	S/o Rajani	Do.	1954
301	Shri Durga Prasad	S/o Sukar	Do.	1950
302	Shri Kinnu Mahato	S/o Bhatan	Fitter	31-12-57
303	Shri Jagdish Choudhuri	Raghunath	Do.	1957
304	Shri Hari Mahato	Matla	Do.	30-6-52
305	Shri Soharai Mahato	Manik	Do.	1950
306	Shri Nandalal Mahato	Bandhan	Blacksmith	30-6-50
307	Shri Gendu Dusad	Ramlal	Do.	1949
308	Shri Mathura Lohat	Bhatu	Do.	1949
309	Shri Lotan Lohar	Nuna	Hammerman	30-6-56
310	Shri Sabran Dusad	Nuna	Do.	30-9-55
311	Shri Misri Dusad	Butan	Do.	1952
312	Shri Kailash Shao	Do.	Do.	30-9-48
313	Shri Aghnru Shao	Biru	Latherman	1954
314	Shri Jhari Mahato	Gajo	Do.	1951
315	Shri Ramareesh Pandit	Manik	Do.	1951
316	Shri Jagdeo Lohar	Basant	Do.	1948
317	Shri Badri Raut	Satish	Do.	26-10-46
318	Shri S. C. Mitra	A.S. Bhatta	Do.	22-11-45
319	Shri J. Bhattacharjee	Manindra	Bill Clerk	11-6-45
320	Shri Nani G. Dutta	Eknath	Do.	11-9-62
321	Shri Adyananda Singh	Charu	Do.	1952
322	Shri Samir R. Mukherjee	Rambhorose	Loading Clerk	5-2-63
323	Shri Brhmamurti Singh	J. N. Dey	Cap. L. Issuer	8-9-60
324	Shri N. P. Dey	Durga	Do.	May 1964
325	Shri Moti Lal Orang	W/o Nunu Ram	Midwife	May 1964
326	Shri Dilip Kr. Sarkar	S/o Brahmadeo	Gardner	14-6-57
327	Smt. Indramani Debi	Jadoo	F.R. Cleaner	30-4-56
328	Shri Munshi Mall	W/o Babulal	Ash Cleaner	12-4-56
329	Shri Jatal Orang	Bildeshi	Do.	1952
330	Smt. Tupli Orangin	Gajo	Do.	1-9-59
331	Shri Sukhadia Orangin	Hariram	Do.	17-10-51
332	Shri Gendia Mahatan	Aklu	Do.	19-3-48
333	Smt. Sabitri Bourin	Ramdular	Do.	29-9-54
334	Smt. Susari Bourin	Rama	Earth cutter	1955
335	Smt. Dhaneswari Bhuiyani	Ramkhelawan	W.E. Cleaner	18-5-57
336	Smt. Kista Mahato	Badri	Do.	31-3-61
337	Smt. Seomani Gope	Auneswar	Bailing Mazdoor	30-6-56
338	Shri Lalmon Pashi	Gunna	Do.	5-6-54
339	Shri Dudhram Misir	Lakhiram	Shot firer Maz.	30-6-49
340	Shri Budhu Orang	Prayag	Do.	30-6-54
341	Shri Sufal Mahato	Atwari	Bus Cleaner	13-12-55
342	Shri Sitaran Hari	Pokhan Hari	Elec. Helper	30-9-53
343	Shri Jagdish Ram	Hur Md.	Lathe Helper	30-5-54
344	Shri Makua Hari	Suku	Moulder Helper	30-6-56
345	Shri Shantu Rewani	Charka	Moulder Maz.	1957
346	Shri Tai Md.	Isaque	Moulder	30-9-48
347	Shri Hari Singh	Alivaza	Do.	1951
348	Shri Bhaglu Chamar	Parchu	Lamp Mazdoor	10-10-56
349	Shri Bishwswar Singh	Jadu Orang	General Maz.	5-6-54
350	Shri Gulzar Mian	Atwari	Tippler Khalasi	11-3-49
351	Shri Jebo Mian	Barhan	Do.	1956
352	Shri Budhu Orang	Bihari	Do.	1951
353	Shri Budhu Orang	Frankista	Wagon Shunter	1-1-62
354	Shri Mitan Bhuiya	Braindeo Mali	Do.	10-3-61
355	Shri Parmeshwar Bhuiya	Keka Rajawar	Do.	1-10-56
356	Shri Darbari Bhuiya	Durga Orang	Do.	1-1-60
357	Shri Saroda Orang			
358	Shri Ramsaran Mali			
359	Shri Bauria Rajawar			
360	Shri Satish Orang			

Sl. No.	Name of workmen	Father's name	Designation	Date of appointment
361	Shri Janki Bhuiya	Bhaneswar Bhuiya	Wagon shunter	1951
362	Shri S. D. Chatterjee	T. P. Chatterjee	Asstt. Surveyor	1-5-62
363	Shri D. P. Routh	Basant Routh	Store-Clerk	1947
364	Shri Adhir Kr. Das	K. K. Das	Do.	1944
365	Shri Ramanand Pandit	Bisheshwar Pandit	Canteen Supvr.	16-4-62
366	Shri P. D. Trivedi	Seopat Singh	Oil Issuer	1955
367	Shri Mundeo Singh	Rudhan Singh	Do.	1945
368	Shri Sarju Singh	Md. Uddin	Bus Driver	1953
369	Shri Md. Samsul	W/o Sriman Majhi	Winder	9-7-62
370	Shri Sadori Majhi	W/o Durga Orang	P.H.B.	30-6-53
371	Shri Sukri Orangin	W/o Laldhani	Attendant	30-6-49
372	Shri Mundri Mahatan	W/o Kisun	Shale Packer	30-6-49
373	Shri Kunjia Kaharin	W/o Narain	Do.	30-6-48
374	Shri Karura Bowrin	W/o Biroo	Do.	30-6-48
375	Shri Mukti Mahatan	W/o Hemanl	Do.	1947 (1944-47)
376	Shri Sonia Mahatan	W/o Hemanl	Do.	1949

[No. 2/73/66-LR.I]

ORDERS

New Delhi, the 20th May 1966

S.O. 1579.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Benalee Colliery, Post Office Raniganj, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the dismissal of Shri Baijnath, Loader, by the management of Benalee Colliery is justified? If not, to what relief is he entitled?

[No. 8/148/65-LR.II.]

New Delhi, the 23rd May 1966

S.O. 1580.—Whereas the employers in relation to the Bolani Ores Limited, Barbil and their workmen represented by the Barbil Workers' Union, Barbil have jointly applied to the Central Government under sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), for reference to a Tribunal of an industrial dispute that exists between them in respect of the matter set forth in the said application and reproduced in the Schedule hereto annexed;

And whereas the Central Government is satisfied that the said Barbil Workers' Union represents the majority of the said workmen;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Are not the workmen (excluding those recruited through the Coal fields Recruiting Organisation) of Bolani Ores Limited entitled to bonus for the year ended on the 30th September, 1964? If entitled, to what extent?

[F. No. 24/11/66-LR.I.]

S.O. 1581.—Whereas the employers in relation to the Bolani Ores Limited, Barbil and their workmen represented by the Barbil Workers' Union, Barbil have jointly applied to the Central Government under sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), for reference to a Tribunal of an industrial dispute that exists between them in respect of the matter set forth in the said application and reproduced in the Schedule hereto annexed;

And where the Central Government is satisfied that the said Barbil Workers' Union represents the majority of the said workmen;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

- * Are not the workmen (excluding those recruited through the Coalfields Recruiting Organisation) of Bolani Ores Limited entitled to bonus for the year ended on the 30th September, 1965? If entitled, to what extent?

[F. No. 24/12/66-LRI.]

CORRIGENDUM

New Delhi, the 21st May 1966

S.O. 1582.—In the Schedule to the Order of the Government of India in the Ministry of Labour Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 1328, dated the 20th April 1966, published in the Gazette of India, Part II, section 3, sub-section (ii), at pages 1263-1264—at page 1264,—in line 8, for “Bishnu Dussad” read “Bishun Dusad”, in line 22, for “Marchu Dussad” read “Marchu Dusad”.

[No. 2/10/66-LR.II.]

H. C. MANGHANI, Under Secy.

(Department of Labour & Employment)

New Delhi, the 20th May 1966

S.O. 1583.—In pursuance of section 8 of the Personal Injuries (Compensation Insurance) Act, 1963 (37 of 1963), the Central Government hereby makes the following Scheme further to amend the Personal Injuries (Compensation Insurance) Scheme, 1965:—

1. This Scheme may be called the Personal Injuries (Compensation Insurance) Third Amendment Scheme, 1966.
2. In the Personal Injuries (Compensation Insurance) Scheme, 1965, in clause (a) of Instruction 7 appended to Form ‘A’ for the expression “15th May”, the expression “30th June”, shall be substituted.

[No. 3/25/66-Spl. (i)]

S.O. 1584.—In exercise of the powers conferred by sub-section (1) of section 22 of the Personal Injuries (Compensation Insurance) Act 1963 (37 of 1963), the Central Government hereby makes the following rules further to amend the Personal Injuries (Compensation Insurance) Rules, 1965, namely:—

1. These rules may be called the Personal Injuries (Compensation Insurance) Third Amendment Rules, 1966.
2. In the Personal Injuries (Compensation Insurance) Rules 1965, in clause (a) of rule 6, for the expression “15th May”, the expression “30th June”, shall be substituted.

[No. 3/25/66-Spl.(ii)].

S.O. 1585. EC/Sec. 6/Rly. Am(i).—In exercise of the powers conferred by section 6 of the Employment of Children Act, 1938 (26 of 1938), the Central Government hereby makes the following amendments to the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 316, ECA/Sec. 6/Rly. Am(i) dated the 19th January, 1966, namely:—

In the said notification,—

- (i) in item 4, after the word "Commissioner", the brackets and the word "(Central)" shall be inserted; and
- (ii) in item 5, after the word "Officers", the brackets and the word "(Central)" shall be inserted.

[No. 542/34/65-Fac. (iii).]

S.O. 1586 ECA/Sec. 6/Maj. Ports.—In exercise of the powers conferred by section 6 of the Employment of Children Act, 1938 (26 of 1938), the Central Government hereby makes the following amendments to the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 394 EC/Sec. 6/ Maj. Ports dated the 21st January, 1966, namely:—

In the said notification,—

- (i) in item 4, after the word "Commissioners", the brackets and the word "(Central)" shall be inserted; and
- (ii) in item 5, after the word "Officers", the brackets and the word "(Central)" shall be inserted.

[No. 542/34/65-Fac. (iv).]

S.O. 1587 PWA/Sec. 14(2)/66-Am.(i).—In exercise of the powers conferred by sub-section (2) of section 14 read with section 24 of the Payment of Wages Act, 1936 (4 of 1936), the Central Government hereby makes the following amendment to the notification of the Government of India in the late Ministry of Labour and Employment No. S. O. 314, PWA/Sec. 14(2)/65-Am.(i) dated the 19th January, 1966, namely:—

In the said notification,—

- in item 4, after the word "Commissioners", the brackets and the word "(Central)" shall be inserted.

[No. 542/34/65-Fac. (i).]

S.O. 1588/HOER/Ins/Am.(i).—In exercise of the powers conferred by sub-section (1) of section 71G of the Indian Railways Act, 1890 (9 of 1890), the Central Government hereby makes the following amendment to the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 315.HOER/Ins/Am.(i) dated the 19th January, 1966, namely:—

In the said notification,—

- in item 4, after the word "Commissioner", the brackets and the word "(Central)" shall be inserted.

[No. 542/34/65-Fac.(ii).]

VIDYA PRAKASH, Dy. Secy.

New Delhi, the 17th May 1966

S.O. 1589.—In pursuance of the provisions of sub-regulation (1A) of regulation 33 of the Coal Mines Regulations, 1957, the Central Government hereby notifies the 31st December, 1966, as the date after which no person shall, except with the previous permission in writing of the Chief Inspector and subject to such condition as he may specify therein be appointed or shall continue to act as an engineer or competent person as referred to in sub-regulation (1) of the mine of the type and the qualifications prescribed.

[No. 1/36/64 MI.]

R. C. SAKSENA, Under Secy.

MINISTRY OF PETROLEUM & CHEMICALS

New Delhi, the 19th May 1966

S.O. 1590.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State and Haldia Port in Calcutta in West Bengal State, pipelines should be laid by the Indian Oil Corporation Limited and that for the purpose of laying such pipelines, it is necessary to acquire the right or user in the land described in the Schedule annexed hereto.

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the competent authority, 9, Syed Amir Ali Avenue, Calcutta-17 in the office of the Indian Oil Corporation Limited. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—West Bengal		Dist.—HOWRAH		Thana—JAGACH A.	
Village	Survey Nos. (Plot Nos.)	Extent (Area)	Survey Nos. (Plot Nos.)	Extent (Area)	
UNSANI	59	.04			
J. L. No. 10	61	.20			
	121	.01			

State—West Bengal		Dist.—HOWRAH		Thana—SANKRAIL.	
Village	Survey Ngs. (Plot Nos.)	Extent (Area)	Survey Nos. (Plot Nos.)	Extent (Area)	
JALA DHULA-					
GARI	572	.18			
J. L. No. 2	580	.24			

[No. 31/33/63-ONG/OR-Vol.-26.]

V. P. AGARWAL, Under Secy.